

EXECUTIVE ORDER NO. 07- 06

WHEREAS, under chapter 89C of the Hawaii Revised Statutes (HRS), the Legislature granted to the Governor and other appropriate authorities the necessary flexibility to make adjustments to the wages, hours, benefits, and other terms and conditions of employment for excluded public officers and employees; and

WHEREAS, for excluded employees who are non-managerial civil service employees under the same classification systems as employees within collective bargaining units, chapter 89C requires that adjustments be "not less than" those provided under the collective bargaining agreements for employees hired on a comparable basis; and

WHEREAS, for excluded employees who are managerial civil service employees or exempt employees, chapter 89C requires that the adjustments shall, to the extent practicable, uniformly apply to every excluded employee within a homogeneous grouping. This requirement, however, does not preclude variable adjustments based on performance or other job criteria; nor does it preclude specific adjustments warranted based on the nature of work performed or working conditions; and

WHEREAS, the State has negotiated supplemental agreements with the exclusive representatives for Bargaining Units (BUs) 01, 02, 03, 04, 09, 10, 11 and 13, allowing employees to receive an early vacation payout in order to have the money deposited into the State's Deferred Compensation Plan (PLAN) while still actively employed; and

WHEREAS, the Director of Human Resources Development (DIRECTOR) has recommended to the Governor that the same provisions be granted to elected and appointed officials and officers and employees excluded from BUs 01, 02, 03, 04, 09, 10, 11 and 13.

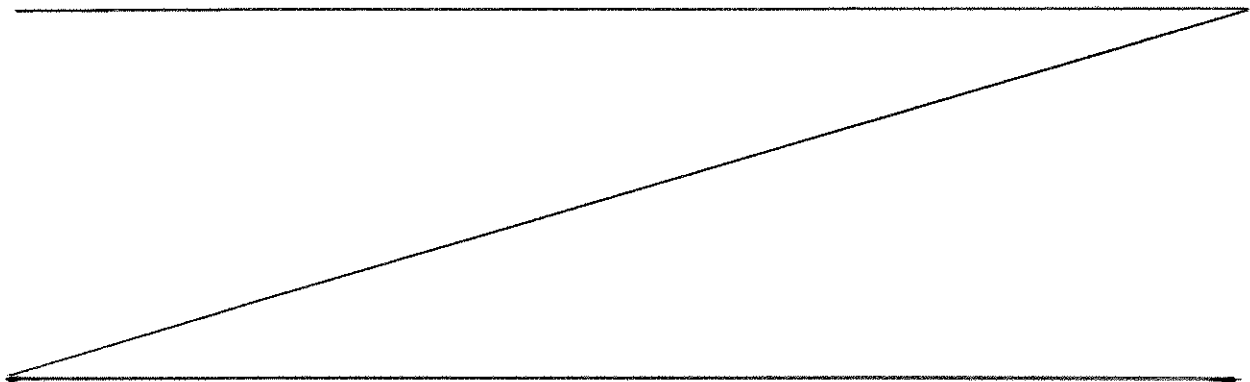
NOW, THEREFORE, I, Linda Lingle, Governor of Hawaii, pursuant to the provisions of HRS chapter 89C do hereby grant to all elected and appointed officials and officers and employees in the State government executive branch who are excluded from BUs 01, 02, 03, 04, 09, 10, 11, and 13, the following adjustment:

VACATION

Early Payout of Accumulated Vacation Leave For Deferral to the State of Hawaii
Deferred Compensation Plan

When an Employee who is retiring from service elects to participate in the Employer's Early Vacation Payout Program, the Employee may receive a partial payment of the Employee's accumulated vacation credits prior to the Employee's retirement date for the sole purpose of deferring such amount into the Employee's account in the Employer's deferred compensation plan. Such payout shall be in accordance with the Employer's directives.

This Executive Order shall be effective from the date this Executive Order is signed to (and including) June 30, 2009, unless otherwise terminated by a subsequent Executive Order.



The DIRECTOR shall be responsible for uniform administration of these adjustments and any interpretations concerning the applicability of these adjustments to State officers and employees of the Executive branch who are excluded from collective bargaining and to elected and appointed officials.

DONE at the State Capitol, Honolulu


State of Hawaii, this 25th

day of June, 2007.



LINDA LINGLE
Governor of Hawaii

APPROVED AS TO FORM:



MARK J. BENNETT
Attorney General