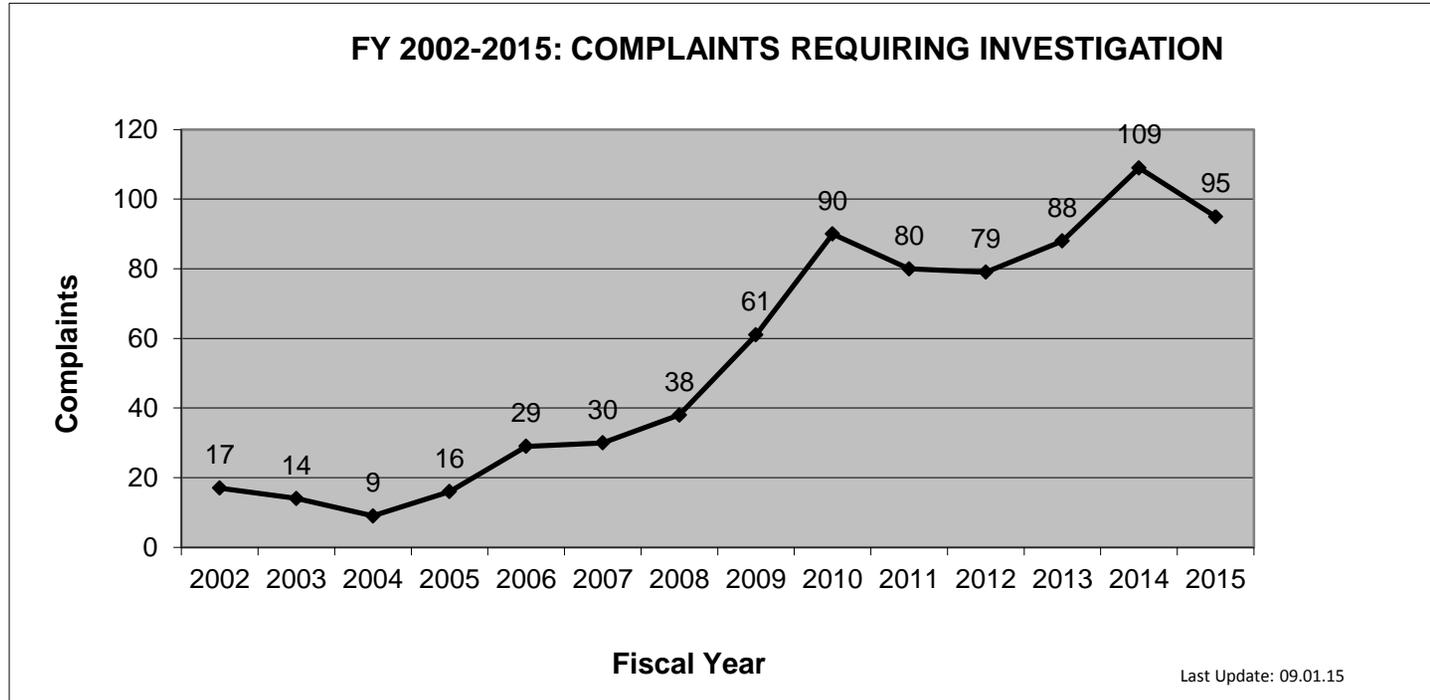


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Attachment A

Complaints	Fiscal Year
17	2002
14	2003
9	2004
16	2005
29	2006
30	2007
38	2008
61	2009
90	2010
80	2011
79	2012
88	2013
109	2014
95	2015
Average 11-	
15	<u>90</u>

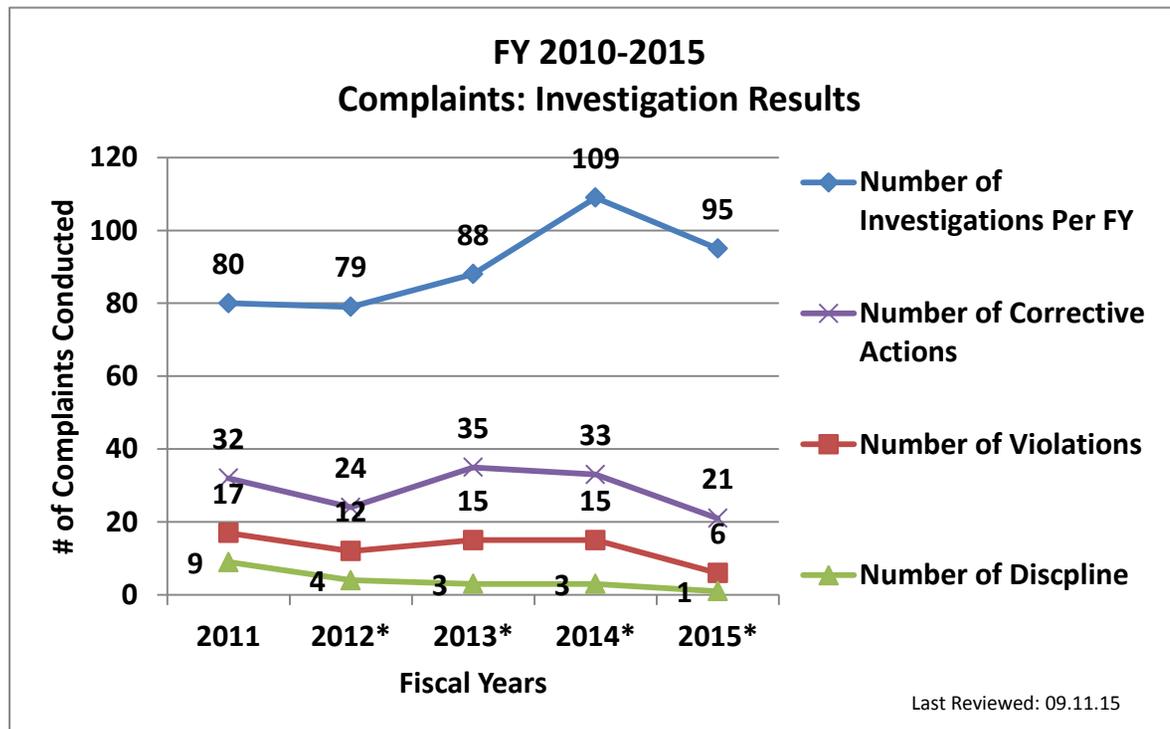


Attachment B

Honolulu Ethics Commission

Summary of Complaints Investigation Results

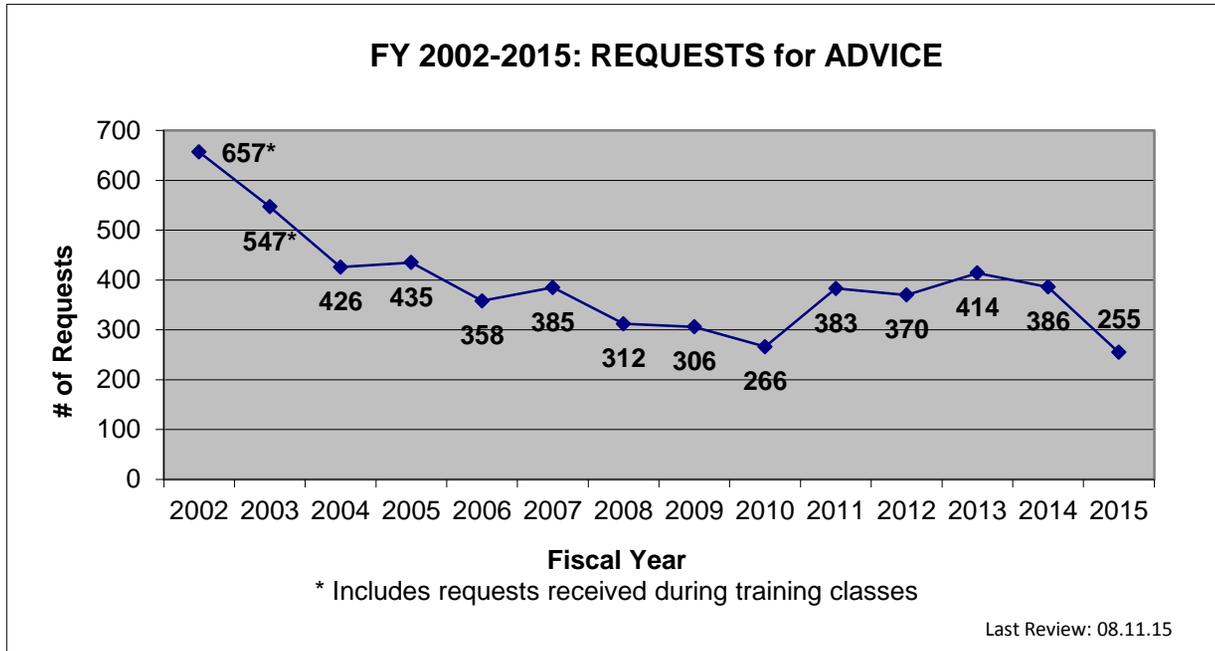
Fiscal Years	2011	2012*	2013*	2014*	2015*	Total*
Number of Investigations Per FY	80	79	88	109	95	451
Number of Violations	17	12	15	15	6	65
Number of Discipline	9	4	3	3	1	20
Number of Corrective Actions	32	24	35	33	21	145



* Indicates fiscal year with investigations pending

Attachment C

Advice Requests	Fiscal Year
657	2002
547	2003
426	2004
435	2005
358	2006
385	2007
312	2008
306	2009
266	2010
383	2011
370	2012
414	2013
386	2014
255	2015
Average FY 11-15	362



Attachment D

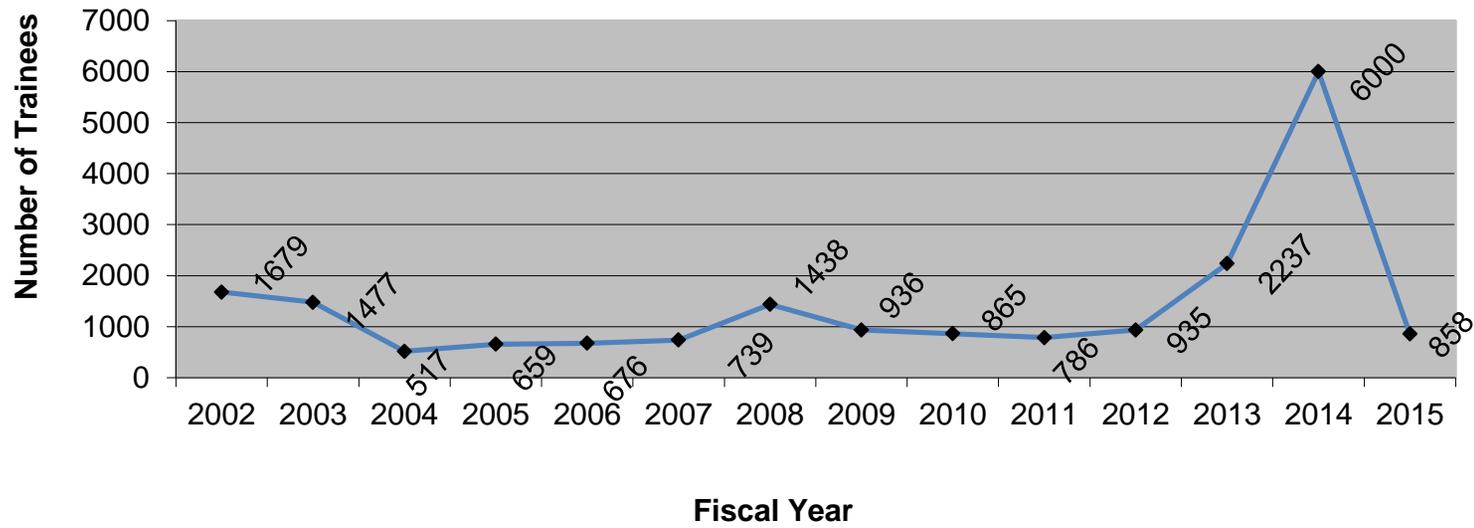
Totals Fiscal Year 2015													
	Total Inquiries	Advice	Complaints	Oral	Written	Investigations	Closed	Violation	Corrected	Discipline			
	397	255	142	98	224	95	347	6	21	1			
	Percentages %	64.23%	35.77%	24.18%	56.42%	23.93%	87.41%	4.23%	14.79%	0.70%			
Overall	Advice					Complaints							
Misuse of city position or resource	Totals	Misuse of city position or resource					Totals	Misuse of city position or resource					Totals
1.a	Political activity	16	1.a	Political activity	11	1.a	Political activity	5	1.b	Nepotism	2		
1.b	Nepotism	3	1.b	Nepotism	1	1.b	Nepotism	2	1.c	Personal/Family benefit	34		
1.c	Personal/Family benefit	40	1.c	Personal/Family benefit	6	1.c	Personal/Family benefit	34	1.d	Benefit/disadvantage of another	53		
1.d	Benefit/disadvantage of another	83	1.d	Benefit/disadvantage of another	30	1.d	Benefit/disadvantage of another	0	1.e	Represent private interests against city	0		
1.e	Represent private interests against city	3	1.e	Represent private interests against city	3	1.e	Represent private interests against city	0	1.f	Appear before city agency on behalf of private interest	0		
1.f	Appear before city agency on behalf of private interest	3	1.f	Appear before city agency on behalf of private interest	3	1.f	Appear before city agency on behalf of private interest	0	1.g	Disclosure of confidential information	2		
1.g	Disclosure of confidential information	2	1.g	Disclosure of confidential information	0	1.g	Disclosure of confidential information	2	1.h	Outside compensation for city work	0		
1.h	Outside compensation for city work	0	1.h	Outside compensation for city work	11	1.h	Outside compensation for city work	0	1.i	Future employment	0		
1.i	Future employment	11	1.i	Future employment	0	1.i	Future employment	0	1.j	Other	0		
1.j	Other	2	1.j	Other	2	1.j	Other	0	1.k	Dual position	0		
1.k	Dual position	3	1.k	Dual position	3	1.k	Dual position	0					
Conflict of interest	Totals	Conflict of interest					Totals	Conflict of interest					Totals
2.a	Gift to city personnel	59	2.a	Gift to city personnel	46	2.a	Gift to city personnel	13	2.b	Gift to city	0		
2.b	Gift to city	11	2.b	Gift to city	11	2.b	Gift to city	0	2.c	Financial interest	9		
2.c	Financial interest	66	2.c	Financial interest	57	2.c	Financial interest	2	2.d	Personal interest	0		
2.d	Personal interest	7	2.d	Personal interest	5	2.d	Personal interest	0	2.e	Office or employee contract w/ city	1		
2.e	Office or employee contract w/ city	0	2.e	Office or employee contract w/ city	0	2.e	Office or employee contract w/ city	0	2.f	Other, including procurement	1		
2.f	Other, including procurement	2	2.f	Other, including procurement	1	2.f	Other, including procurement	1					
Misc.	Totals	Misc.					Totals	Misc.					Totals
3.a	Financial disclosure statement	32	3.a	Financial disclosure statement	21	3.a	Financial disclosure statement	11	3.b	Conflict of interest disclosure	0		
3.b	Conflict of interest disclosure	1	3.b	Conflict of interest disclosure	1	3.b	Conflict of interest disclosure	0	3.c	Ethics Training	0		
3.c	Ethics Training	10	3.c	Ethics Training	10	3.c	Ethics Training	0	3.d	Commission procedure, operations, etc.	0		
3.d	Commission procedure, operations, etc.	31	3.d	Commission procedure, operations, etc.	31	3.d	Commission procedure, operations, etc.	0	3.e	Disclosure of outside interest, CC8	1		
3.e	Disclosure of outside interest, CC8	8	3.e	Disclosure of outside interest, CC8	7	3.e	Disclosure of outside interest, CC8	1	3.f	Other	0		
3.f	Other	3	3.f	Other	3	3.f	Other	0					
Lobbying/ lobbyists	Totals	Lobbying/ lobbyists					Totals	Lobbying/ lobbyists					Totals
4.a	Lobbying/lobbyists	11	4.a	Lobbying/lobbyists	9	4.a	Lobbying/lobbyists	2					
No Jurisdiction	Totals	No Jurisdiction					Totals	No Jurisdiction					Totals
5.a	No Jurisdiction	34	5.a	No Jurisdiction	9	5.a	No Jurisdiction	25					

Attachment E

Fiscal Year	Number of Trainees			Total Trained Per Year	Total Average Trained FY 10-14
	Mandatory Ethics Training	Mandatory Ethics Re-Training	EC New Employee Ethics Training		
2002	1148	0	531	1679	2165
2003	1084	0	393	1477	
2004	240	0	277	517	
2005	253	0	406	659	
2006	145	0	531	676	
2007	195	0	544	739	
2008	272	783	383	1438	
2009	258	232	446	936	
2010	350	206	309	865	
2011	137	313	336	786	
2012	121	368	446	935	
2013	706	1070	461	2237	
2014	6000	0	0	6000	
2015	858	0	0	858	

Graph on the next page

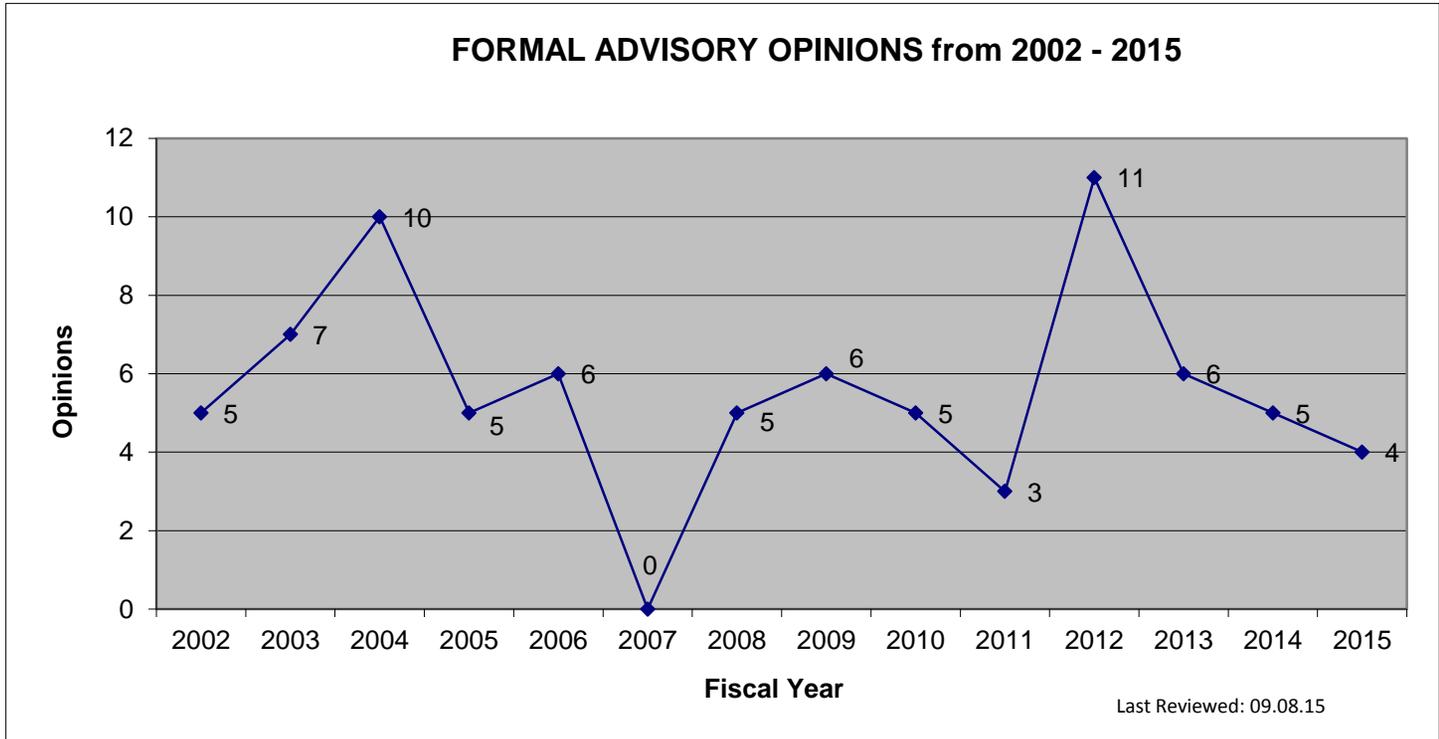
All Ethics Training



Last Reviewed: 09.11.15

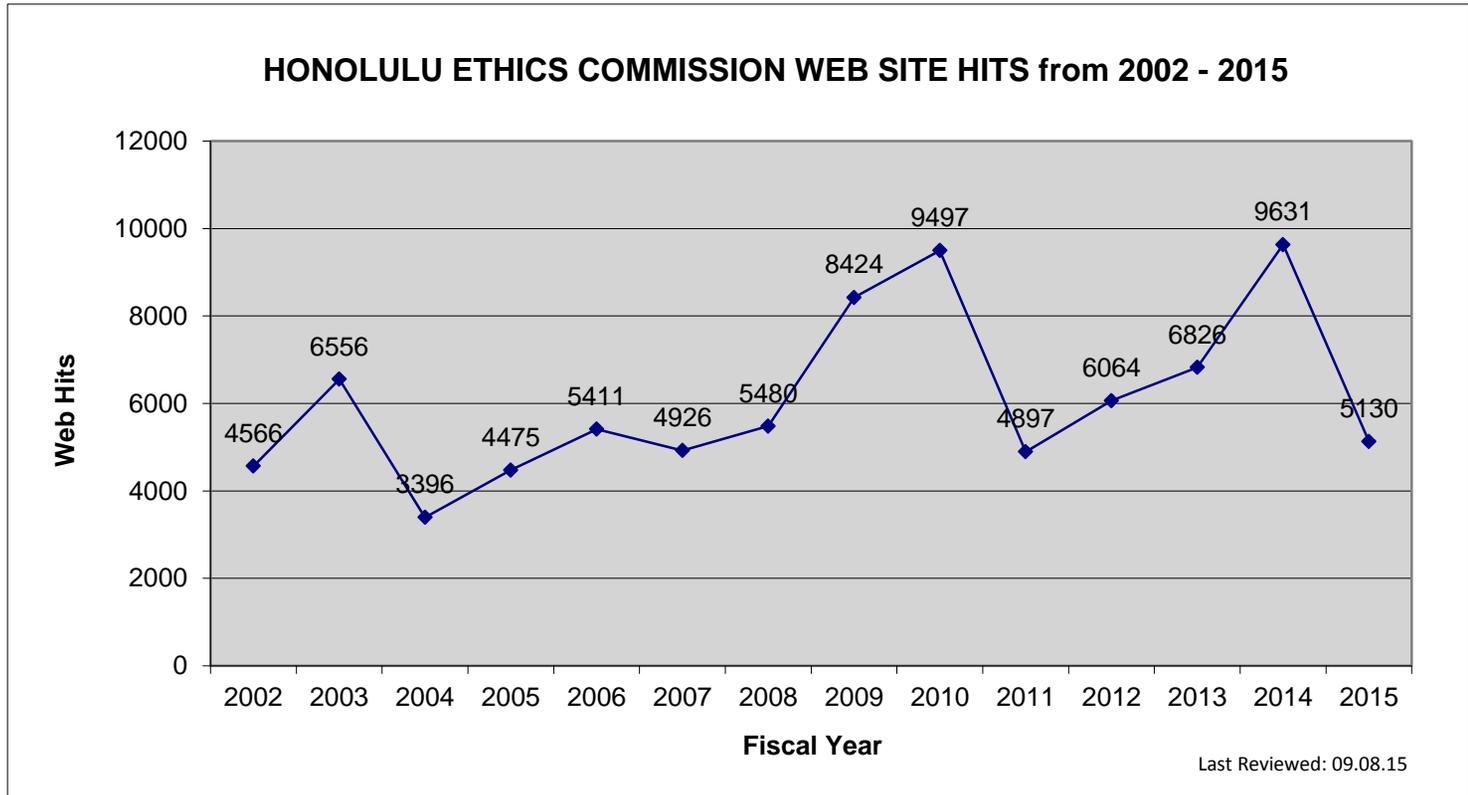
Attachment F

Formal AOs	Fiscal Year
5	2002
7	2003
10	2004
5	2005
6	2006
0	2007
5	2008
6	2009
5	2010
3	2011
11	2012
6	2013
5	2014
4	2015



Attachment G

Web Hits	Fiscal Year
4566	2002
6556	2003
3396	2004
4475	2005
5411	2006
4926	2007
5480	2008
8424	2009
9497	2010
4897	2011
6064	2012
6826	2013
9631	2014
5130	2015



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OFFICE OF THE MAYOR
CITY AND COUNTY OF HONOLULU

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KIRK CALDWELL
MAYOR

ROY K. AMEMIYA, JR.
MANAGING DIRECTOR

GEORGETTE T. DEEMER
DEPUTY MANAGING DIRECTOR

Mayor's Directive No. 15-3
September 4, 2015

MEMORANDUM

TO: All Department and Agency Heads

FROM: Kirk Caldwell, Mayor

SUBJECT: Adjustments in Salaries and Benefits for Excluded, Exempt Employees and for Excluded Employees on Short-Term, Provisional, or Limited-Term Appointments Who Have Not Yet Achieved Regular Civil Service Status for the period July 1, 2015 to June 30, 2016

Chapter 89C provides that the Mayor may make adjustments for excluded employees subject to certain guidelines and limitations. Pursuant to Chapter 89C, Hawaii Revised Statutes (HRS), except as amended below, the adjustments previously provided in Mayor's Directive 07-05 (dated July 6, 2007), as amended or continued by subsequent Mayor's Directives, including Mayor's Directive 09-02 (dated July 10, 2009), Mayor's Directive 10-11 (dated July 12, 2010), Mayor's Directive 11-1, including amendments (dated June 28, 2011), Mayor's Directive 11-5 (dated December 14, 2011), Mayor's Directive 13-6 (dated July 22, 2013) and Mayor's Directive 14-3 (dated June 24, 2014), shall apply to employees who are exempt from civil service and excluded from collective bargaining and excluded employees on short-term, provisional, or limited-term appointments who have not yet achieved regular civil service status for the period from July 1, 2015 to June 30, 2016, unless amended or superseded by a subsequent Mayor's Directive.

I. EXCLUDED, EXEMPT EMPLOYEES WHOSE EXACT SALARY IS SET BY THE SALARY COMMISSION OR OTHER CITY COMMISSION, BOARD OR AUTHORITY

Excluded, Exempt Employees Whose Exact Salary is Set by the Salary Commission

- Elected Officials
- Managing Director and Deputy Managing Director
- Department Heads and Deputy Department Heads
- First Deputy Prosecuting Attorney
- Police Chief and Deputy Chiefs
- Fire Chief and Deputy Chief

Excluded, Exempt Employees Whose Exact Salary is Set by Other City Commission, Board or Authority

- Board of Water Supply Manager and Chief Engineer and Deputy
- Honolulu Authority for Rapid Transportation Executive Director and CEO and Deputy
- Liquor Commission Administrator
- Ethics Commission Executive Director/Legal Counsel

**HAWAII EMPLOYER UNION HEALTH BENEFITS TRUST FUND (EUTF)
EMPLOYER CONTRIBUTION**

The following will apply to the above excluded, exempt employees who are eligible for EUTF benefits:

- A. Except for employees covered in subsections B. and C. below, the employer pays an amount equivalent to the amount paid for civil service excluded managers who are excluded from Bargaining Unit 13 for employees enrolled in the various EUTF plans.
- B. For exempt employees who are excluded from Bargaining Unit 12 and who are allowed by the EUTF to enroll in the EUTF plans established for employees included in Bargaining Unit 12, the employer pays an amount equivalent to the amount paid for civil service excluded managers who are excluded from Bargaining Unit 12 for employees enrolled in the various EUTF plans.
- C. For exempt employees who are excluded from Bargaining Unit 11 and who are allowed by the EUTF to enroll in the EUTF plans established for employees included in Bargaining Unit 11, the employer pays an amount equivalent to the amount paid for civil service excluded managers who are excluded from Bargaining Unit 11 for employees enrolled in the various EUTF plans.

ADDITIONAL PROVISIONS FOR EXEMPT, EXCLUDED EMPLOYEES COVERED BY SECTION I WHO ARE EXCLUDED FROM BARGAINING UNIT 11

A. VACATION LEAVE—RECALL TO DUTY

For exempt employees who are excluded from Bargaining Unit 11 who are recalled to duty before the expiration of a granted vacation leave, the employee shall be entitled to the same compensation and reimbursement as is provided to civil service excluded managers who are excluded from Bargaining Unit 11.

B. LEAVE OF ABSENCE FOR DEATH IN THE FAMILY

For exempt employees who are excluded from Bargaining Unit 11, the employee shall be entitled to a leave of absence for death in the family on the same basis as it is provided to civil service excluded managers who are excluded from Bargaining Unit 11.

ADDITIONAL PROVISIONS FOR EXEMPT, EXCLUDED EMPLOYEES COVERED BY SECTION I WHO ARE EXCLUDED FROM BARGAINING UNIT 12

A. STANDARD OF CONDUCT PAY

For exempt employees who are excluded from Bargaining Unit 12, the employee shall be entitled to receive Standard of Conduct Pay on the same basis as it is provided to civil service excluded managers who are excluded from Bargaining Unit 12.

B. WEAPONS AND ACCESSORY MAINTENANCE ALLOWANCE

For exempt employees who are excluded from Bargaining Unit 12, the employee shall be entitled to receive a Weapons and Accessory Maintenance Allowance on the same basis as it is provided to civil service excluded managers who are excluded from Bargaining Unit 12.

ADDITIONAL PROVISIONS FOR THE ETHICS COMMISSION EXECUTIVE DIRECTOR/LEGAL COUNSEL—Effective July 1, 2015 to June 30, 2016

The Revised Charter of Honolulu ("Charter") expressly provides that the salary of the Executive Director of the Ethics Commission ("EC") is fixed by ordinance. The Revised Ordinances of Honolulu ("ROH") specify that the EC shall set the salary of the Executive Director/Legal Counsel ("EDLC") within the EM-7 range applicable to civil service employees. Thus, there will be no automatic pay increase for the Executive Director. The pay adjustment, if any, will be determined by the EC based on merit.

From a budget perspective, the combined pay adjustments and salaries of the EDLC and the Associate Legal Counsel to the EC ("ALC") must be in conformity with the Executive Operating Budget for Fiscal Year 2016 (July 1, 2015 – June 30, 2016; "FY16"). The combined pay adjustments for FY16 for the EDLC and the ALC cannot exceed the FY16 budgeted combined pay adjustments for those two positions ("the ETH Budgeted Combined Pay Adjustments"), and the combined salaries for FY16 (including the FY16 adjustments, if any, made by the EC) for the EDLC and the ALC cannot exceed the FY16 budgeted combined salaries (including the budgeted FY16 adjustment) for those two positions (the "ETH Budgeted Combined Salaries").

For administrative purposes, the pay adjustments for FY16, if any, for the EDLC and the ALC shall be made as of July 1, 2015.

The Director of Human Resources, in consultation with the Director of Budget and Fiscal Services, shall provide the EC, with a copy to the Corporation Counsel, with the amount of the ETH Budgeted Combined Pay Adjustments and the amount of the ETH Budgeted Combined Salaries. If questions arise regarding the

requirements of this section, the Directors of Human Resources and Budget and Fiscal Services shall make the final determination.

II. EXCLUDED, EXEMPT ATTORNEYS IN EXECUTIVE BRANCH POSITIONS —

The provisions below are applicable to the following exempt, excluded attorneys in positions in the Executive Branch:

- Deputies Prosecuting Attorney ("PAT Deputies"), except the First Deputy Prosecuting Attorney;
- Deputies Corporation Counsel ("COR Deputies"), except the First Deputy Corporation Counsel; and
- Associate Legal Counsel, Ethics Commission ("ALC")

**HAWAII EMPLOYER UNION HEALTH BENEFITS TRUST FUND (EUTF)
EMPLOYER CONTRIBUTION**

The following will apply to the above excluded, exempt employees who are eligible for EUTF benefits:

The employer pays an amount equivalent to the amount paid for civil service excluded managers who are excluded from Bargaining Unit 13 for employees enrolled in the various EUTF plans.

COMPENSATION ADJUSTMENT

Prosecuting Attorney Deputies

There will be no automatic pay adjustments for the PAT Deputies. Pay adjustments, if any, will be determined by the Prosecuting Attorney based on merit, and the Prosecuting Attorney must ensure the adjustments are made within existing budget restrictions.

Corporation Counsel Deputies – Effective July 1, 2015 to June 20, 2016

There will be no automatic pay increases for the COR Deputies. Pay adjustments, if any, will be determined by the Corporation Counsel based on merit.

From a budget perspective, the combined pay adjustments and salaries of all COR Deputies must be in conformity with the Executive Operating Budget for FY16. The combined pay adjustments for FY16 for COR Deputies cannot exceed the FY16 budgeted combined pay adjustments for all COR Deputies (the "COR Deputies Budgeted Combined Pay Adjustments"), and the combined salaries for FY16 (including the FY16 adjustment, if any, by the Corporation Counsel for all COR Deputies) for all COR Deputies cannot exceed the FY16 budgeted combined salaries (including the budgeted FY16 adjustment) for all COR Deputies (the "COR Deputies Budgeted Combined Salaries").

For administrative purposes, the pay adjustments for FY16, if any, for COR Deputies shall be made as of July 1, 2015. The Directors of Human Resources and Budget and Fiscal Services, shall provide the Corporation Counsel with the amount of the COR Deputies Budgeted Combined Pay Adjustments and the amount of the COR Deputies Budgeted Combined Salaries. If questions arise regarding the requirements of this section, the Directors of Human Resources and Budget and Fiscal Services shall make the final determination.

Ethics Commission - Associate Legal Counsel – Effective July 1, 2015 to June 30, 2016

The Charter permits the EC to appoint staff to assist it in the performance of its duties, and the Charter and the ROH provide that the EC staff is exempt from civil service but included in the City's position classification plan. The Charter and the ROH do not authorize the EC to set the salary of its staff except for the EDLC; and so the salary of the EC staff is subject to this Mayor's Directive. There is one staff position, the ALC position, which would typically fall within Section IV of this Mayor's Directive. However, for FY16, the discretion to make a pay adjustment, if any, for the ALC is hereby delegated to, and will be determined by, the EC based on merit and will be subject to the provisions of this Mayor's Directive. There will be no automatic pay increases for the ALC and the salary of the ALC (including any pay adjustment) must be within the SR 26 pay range applicable to civil service employees.

The budget and administrative restrictions applicable to the ALC are set forth above under "Additional Provisions for the Ethics Commission Executive Director/Legal Counsel – Effective July 1, 2015 to June 30, 2016."

If questions arise regarding the requirements of this section, the Directors of Human Resources and Budget and Fiscal Services shall make the final determination.

III. EXCLUDED EXEMPT EMPLOYEES IN THE OFFICES OF THE MAYOR AND MANAGING DIRECTOR

The provisions below are applicable to the following exempt, excluded employees in positions and on personal services contracts in the Mayor and Managing Director's Office who are not covered by Sections I and II above:

Exempt employees (including managerial, professional, non-professional and clerical staff) in positions or on personal services contracts in the Offices of the Mayor and Managing Director, including the Neighborhood Commission Office (NCO), Mayor's Office of Culture and Arts (MOCA), Office of Economic Development and the Office on Housing.

**HAWAII EMPLOYER UNION HEALTH BENEFITS TRUST FUND (EUTF)
EMPLOYER CONTRIBUTION**

The following will apply to the above excluded, exempt employees who are eligible for EUTF benefits:

- A. For non-managerial exempt employees who are excluded from Bargaining Units 03, 04, or 13, the employer pays an amount equivalent to the amount paid for their excluded civil service counterparts for those who are enrolled in the various EUTF plans.
- B. For managerial exempt, excluded employees in positions and on personal services contracts, the employer pays an amount equivalent to the amount paid for civil service excluded managers who are excluded from Bargaining Unit 13 for employees enrolled in the various EUTF plans.

COMPENSATION ADJUSTMENT

There will be no automatic pay increases for the above excluded, exempt employees. Pay adjustments, if any, will be based on merit as determined by the appointing authority.

IV. OTHER EXCLUDED, EXEMPT EMPLOYEES IN POSITIONS

The provisions below are applicable to the following exempt, excluded employees in positions in the Executive Branch who are not covered by Sections I, II, and III above:

- Exempt, excluded Private Secretaries in departments (including the Board of Water Supply and the Honolulu Authority for Rapid Transportation)
- Exempt, excluded employees in positions of the Prosecuting Attorney and Corporation Counsel, except those covered in Sections I and II.
- Exempt, excluded employees in positions in other City departments and agencies (including the Board of Water Supply, Budget and Fiscal Services, and the Honolulu Authority for Rapid Transportation)

**HAWAII EMPLOYER UNION HEALTH BENEFITS TRUST FUND (EUTF)
EMPLOYER CONTRIBUTION**

The following will apply to excluded, exempt employees who are covered by Section IV of this Directive and who are eligible for EUTF benefits:

- A. For exempt employees who are excluded from Bargaining Units 02, 03 or 04, the employer pays an amount equivalent to the amount paid for their excluded civil service counterparts for those who are enrolled in the various EUTF plans.
- B. For exempt, excluded employees in positions who are excluded from Bargaining Unit 13, the employer pays: 1) an amount equivalent to the amount paid for civil

service employees who are excluded from Bargaining Unit 13 for non-managerial employees enrolled in the various EUTF plans, and 2) an amount equivalent to the amount paid for civil service excluded managerial employees for managerial employees enrolled in the various EUTF plans.

- C. For exempt, excluded employees in positions who are not covered by A, B, or C above, the Director of Human Resources shall determine the appropriate employer contribution based on the Bargaining Unit the employee is excluded from and the employee's status as a managerial or non-managerial employee.

COMPENSATION ADJUSTMENT

The following will apply to excluded, exempt employees who are covered by Section IV of this Directive:

- A. For exempt, excluded non-managerial employees who are excluded from Bargaining Units 03 and 04 and who were exempt, excluded employees of the City on June 30, 2015, - effective July 1, 2015, each employee shall receive a one-step increase. If the employee is at the maximum step of the pay range on June 30, 2013, then in lieu of a step movement, the employee shall receive a one-time lump sum payment of \$1,500 for a full-time employee. (If the employee is less than full-time, the lump sum paid shall be prorated. For example, a half-time employee would receive a payment of \$750.)
- B. For exempt, excluded non-managerial employees who are excluded from Bargaining Unit 13, - effective January 1, 2016, the applicable salary schedule shall be amended to reflect a three and one-half percent (3.5%) increase. The employee shall be placed on the corresponding step in the new salary schedule.
- C. For exempt, excluded managerial employees who are excluded from Bargaining Unit 13.

Effective July 1, 2015, the applicable salary schedule shall be amended to reflect a four percent (4%) increase. If an employee's pay rate falls below the minimum rate of the applicable pay range in the new salary schedule, the employee shall be paid at the minimum rate of the applicable pay range.

Effective January 1, 2016, the appointing authority may grant an excluded, exempt managerial employee covered by Section IV a pay increase of up to three and one-half percent (3.5%) provided:

The employee has been continuously employed by the City since June 30, 2014;

The employee's new pay rate will not exceed the maximum rate of the applicable pay range;

Other than the January 1, 2016 increase provided by this Directive, the employee has not received and will not receive any pay increases during the period from June 30, 2014 to July 1, 2016; and

The increase is based on merit and the appointing authority ensures the adjustments are within existing budget restrictions.

V. **EXCLUDED EMPLOYEES IN LIMITED-TERM, SHORT-TERM, OR PROVISIONAL APPOINTMENTS WHO HAVE NOT YET ACHIEVED REGULAR CIVIL SERVICE STATUS**

The provisions below are applicable to excluded employees in limited-term, short-term, or provisional appointments who have not yet achieved regular civil service status.

**HAWAII EMPLOYER UNION HEALTH BENEFITS TRUST FUND (EUTF)
EMPLOYER CONTRIBUTION**

The following will apply to excluded employees who are covered by Section V of this Directive and who are eligible for EUTF benefits:

- A. For employees who are excluded from Bargaining Unit 01, the employer pays an amount equivalent to the amount paid for their included counterparts, who are regular civil service employees, for those who are enrolled in the various EUTF plans.
- B. For employees who are excluded from Bargaining Units 02, 03 or 04, the employer pays an amount equivalent to the amount paid for their excluded counterparts, who are regular civil service employees, for those who are enrolled in the various EUTF plans.
- C. For excluded employees in limited-term, short-term, or provisional appointments who have not yet achieved civil service status who are excluded from Bargaining Unit 13, the employer pays: 1) an amount equivalent to the amount paid for regular civil service employees who are excluded from Bargaining Unit 13 for non-managerial employees enrolled in the various EUTF plans, and 2) an amount equivalent to the amount paid for civil service excluded managerial employees who are excluded from Bargaining Unit 13 for managerial employees enrolled in the various EUTF plans.
- D. For excluded employees on limited-term, short-term, or provisional appointments who have not yet achieved regular civil service status and who are not covered by A, B, or C above, the Director of Human Resources shall determine the appropriate employer contribution based on the bargaining unit the employee is excluded from and the employee's status as a managerial or non-managerial employee.

COMPENSATION ADJUSTMENT

The following will apply to excluded employees who are covered by Section V of this Directive:

- A. For excluded employees who are excluded from Bargaining Unit 01, each employee's compensation shall be adjusted in the same manner as the adjustments for their included counterparts who are regular civil service employees.
- B. For excluded employees who are excluded from Bargaining Units 02, 03 or 04, each employee's compensation shall be adjusted in the same manner as the adjustments for their excluded counterparts who are regular civil service employees.
- C. For excluded non-managerial employees who are excluded from Bargaining Unit 13, each employee's compensation shall be adjusted in the same manner as the adjustments for their excluded counterparts who are regular civil service employees.
- D. For excluded managerial employees who are excluded from Bargaining Unit 13, each employee's compensation shall be adjusted in the same manner as the adjustments for their excluded counterparts who are regular civil service employees.

ADDITIONAL PROVISIONS FOR EXCLUDED EMPLOYEES COVERED BY SECTION V WHO ARE EXCLUDED FROM BARGAINING UNIT 01

- A. Employees covered by Section V who are excluded from Bargaining Unit 01 shall, when they work more than 16 hours in a 24-hour period, be entitled to be excused from work on the same basis as is permitted for regular civil service employees who are included in Bargaining Unit 01.
- B. Employees covered by Section V who are excluded from Bargaining Unit 01 who are placed on stand-by, shall have their stand-by pay calculated in the same manner stand-by pay is calculated for regular civil service employees who are included in Bargaining Unit 01.
- C. Employees covered by Section V who are excluded from Bargaining Unit 01 who go on military leave without pay, shall be afforded the same options regarding vacation leave as is afforded regular civil service employees who are included in Bargaining Unit 01.
- D. Employees covered by Section V who are excluded from Bargaining Unit 01 shall be paid for consultative calls on the same basis as it is paid to regular civil service employees who are included in Bargaining Unit 01.

VI. EXCLUDED PERSONAL SERVICES CONTRACT EMPLOYEES WHO ARE ELIGIBLE FOR EUTF BENEFITS AND ERS MEMBERSHIP

The provisions below are applicable to the following Executive Branch exempt, excluded personal services contract employees who are not covered by Section III above:

- Personal Services Contract Hires 91 days (or more) and at least half-time, except those in the Offices of the Mayor and the Managing Director

**HAWAII EMPLOYER UNION HEALTH BENEFITS TRUST FUND (EUTF)
EMPLOYER CONTRIBUTION**

The following will apply to excluded personal services contract employees who are covered by Section VI of this Directive and who are eligible for EUTF benefits:

- A. For personal services contract employees who are excluded from Bargaining Unit 01, the employer pays an amount equivalent to the amount paid for their civil service included counterparts for those who are enrolled in the various EUTF plans.
- B. For personal services contract employees who are excluded from Bargaining Units 02, 03 or 04, the employer pays an amount equivalent to the amount paid for their civil service excluded counterparts for those who are enrolled in the various EUTF plans.
- C. For personal services contract employees who are excluded from Bargaining Unit 10, the employer pays an amount equivalent to the amount paid for their civil service included counterparts for those who are enrolled in the various EUTF plans.
- D. For personal services contract employees who are excluded from collective bargaining and who are excluded from Bargaining Unit 13, the employer pays: 1) an amount equivalent to the amount paid for civil service employees who are excluded from Bargaining Unit 13 for employees enrolled in the various EUTF plans, and 2) an amount equivalent to the amount paid for civil service excluded managerial employees who are excluded from Bargaining Unit 13 for managerial employees enrolled in the various EUTF plans.
- E. For exempt, excluded employees in positions who are not covered by A, B, C, or D above, the Director of Human Resources shall determine the appropriate employer contribution based on the Bargaining Unit the employee is excluded from and the employee's status as a managerial or non-managerial employee.

COMPENSATION ADJUSTMENT

The following will apply to excluded personal services contract employees who are covered by Section VI of this Directive:

- A. Except as provided below, these employees shall not receive step movement increases, a change of pay equivalent to a step movement or any other increases in compensation. The exceptions are as follows:

1. If the employee's pay rate will fall below the minimum step of the applicable pay range, the employee will be paid at the minimum step.
2. If the employee's pay rate will not be on-step in a salary schedule which includes steps, the employee will be paid at the next higher step in the pay range.

IF THE EMPLOYEE IS EXCLUDED FROM BU 03 OR 04, THEN IN LIEU OF A.1. AND A.2. ABOVE THE FOLLOWING WILL APPLY:

Effective July 1, 2015:

1. Full-time employees who were employed prior to July 1, 2015 and continue to be employed in the same capacity as of July 1, 2015, are eligible to receive the lump sum payment of \$1,500. Employees who received or will receive a pay increase equivalent to a step movement during the period July 1, 2015 through June 30, 2016 are not eligible to receive the lump sum payment of \$1,500. Employees who are less than full-time should receive a prorated amount. For example half-time employees should receive \$750.

IF THE EMPLOYEE IS EXCLUDED FROM BU 13, THEN IN LIEU OF A.1. AND A.2. ABOVE THE FOLLOWING WILL APPLY:

Effective January 1, 2016:

1. The Bargaining Unit 13 salary schedules shall be amended to reflect a three and one-half percent (3.5%) increase.

IF THE EMPLOYEE IS A MANAGER (EM) EXCLUDED FROM BU 13, THEN IN LIEU OF A.1. AND A.2. ABOVE THE FOLLOWING WILL APPLY:

Effective July 1, 2015:

1. The applicable salary schedule shall be amended to reflect a four percent (4%) increase. If an employee's pay rate falls below the minimum rate of the applicable pay range in the new salary schedule, the employee's pay shall be changed to the minimum rate of the applicable pay range.

Effective January 1, 2016:

1. Employees will be given a change of pay equivalent to a three and one-half percent (3.5%) increase provided the employee: 1) was in continuous service with the City from June 30, 2014 through January 1, 2016; 2) has not received and will not receive any other increase in pay during the period from July 1, 2014 to June 30, 2016; and 3) the new rate will not exceed the maximum rate of the applicable pay range. If the new rate will exceed the maximum rate of the applicable pay range, the employee will receive the maximum rate.

All excluded employees in personal services contracts are not eligible for step movements or within range progression increases.

If a pay adjustment is required to comply with the above exceptions and if the department determines the pay adjustment requires an adjustment in the terms of the employee's contract, the department must adjust the employee's contract. In addition, if an adjustment results in increased costs, the change must be approved by the department's Fiscal Officer.

VII. EXCLUDED PERSONAL SERVICES CONTRACT EMPLOYEES WHO ARE NOT ELIGIBLE FOR EUTF BENEFITS AND ERS MEMBERSHIP

The provisions below are applicable to the following excluded personal services contract employees who are not covered by Section III above:

- Personal Services Contract Hires—three (3) months or less, except those in the Offices of the Mayor and the Managing Director
- Personal Services Contract Hires—less than half-time (less than 20 hours per week), except those in the Offices of the Mayor and the Managing Director

COMPENSATION ADJUSTMENT

The following will apply to excluded personal services contract employees who are covered by Section VII of this Directive:

Employees paid at special pay rates (for example, Students and Musicians), shall not receive step movement increases or any other increases in compensation unless the special pay rate changes.

All other employees covered by Section VII will be subject to the following: Except as provided below, these employees shall not receive step movement increases or any other increases in compensation. The exceptions are as follows and will be processed as a change of pay:

- If the employee's pay rate will fall below the minimum step of the applicable pay range, the employee will be paid at the minimum step.
- If the employee's pay rate will not be on-step in a salary schedule which includes steps, the employee will be paid at the closest step (whether higher or lower) in the applicable pay range, unless the closest step is more than \$10 per month lower (based on the monthly pay rate) than the employee's current step. If the closest step is more than \$10 per month lower than the employee's current step, the employee will be paid at the next higher step in the pay range.

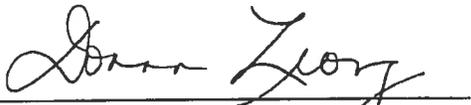
All excluded employees in personal services contracts are not eligible for step movements or within range progression increases.

If a pay adjustment is required to comply with the above exceptions and if the department determines the pay adjustment requires an adjustment in the terms of the employee's contract, the department must adjust the employee's contract. In addition, if such adjustment results in increased costs, the change must be approved by the department's Fiscal Officer.

The Prosecuting Attorney, Manager and Chief Engineer of the Board of Water Supply, and Executive Director and CEO of the Honolulu Authority for Rapid Transportation may grant variations in the pay adjustments specified above for Private Secretaries in their respective Departments or Agencies. However, in granting any pay adjustment, the applicable Appointing Authority must ensure the adjustments are made within existing budget restrictions and that the employee is paid on a step within the pay range to which the employee is assigned.

Please contact Ms. Jennifer Tobin at 768-8537, should you have any questions.

APPROVED AS TO FORM AND LEGALITY:



Donna Y.L. Leong
Corporation Counsel
Department of the Corporation Counsel