

Chapter 5

**SALARIES OF ELECTED OFFICIALS, NON-CIVIL SERVICE OFFICERS AND
EMPLOYMENT AND BONDING REQUIREMENTS**

Articles:

- 1. Bonds of Elected Officials, Officers and Employees**
- 2. Pay Plan in the Offices of the Corporation Counsel and the Prosecuting Attorney**
- 3. Salaries of Various City Officers**

Article 1. Bonds of Elected Officials, Officers and Employees

Sections:

- 5-1.1 Bonds of elected officials.**
- 5-1.2 Bonds of officers and employees.**
- 5-1.3 Procurement of bonds.**
- 5-1.4 Liability of officers and employees on bonds.**

Sec. 5-1.1 Bonds of elected officials.

Before entering upon the duties of the councilmember's office each councilmember and the mayor shall be covered by an individual bond in the amount of \$25,000.00 conditioned for the faithful performance of the duties of the councilmember's office. (Sec. 6-2.1, R.O. 1978 (1983 Ed.))

Sec. 5-1.2 Bonds of officers and employees.

All officers and employees of the city, except the board of water supply, shall be covered by a public employee's faithful performance blanket position bond in the amount of \$25,000.00 for each officer and employee, subject to excess indemnity coverage in the following amounts for the below-listed officers and employees:

Director of finance	\$225,000.00
Deputy director of finance	225,000.00
Chief of treasury	225,000.00
Assistant chief of treasury	225,000.00
Treasury head teller	75,000.00
Director of auditoriums	75,000.00
Deputy director of auditoriums	75,000.00
Auditoriums fiscal officer	75,000.00
Auditoriums accountant V	75,000.00
Auditoriums box office manager	25,000.00
Auditoriums box office accountant	25,000.00

(Sec. 6-2.2, R.O. 1978 (1983 Ed.); Am. Ord. 91-27, 97-02)

Sec. 5-1.3 Procurement of bonds.

The bonds specified in Sections 5-1.1 and 5-1.2 shall be procured by the director of finance as the director may deem best in the interest of the city, subject to the following conditions:

- (a) That such bonds be procured from companies licensed to do business in Hawaii;
- (b) That such bonds be in favor of and the premiums thereof shall be borne by the city; provided, that in the event of any undertaking or project involving joint participation between the city and the United States or any agency of the United States, and the condition of such undertaking or project requires that the officers of the city entrusted with the receipt and disbursement of funds be covered by a faithful performance or fidelity bond, then the United States may be named as co-obligee in the bond.

(Sec. 6-2.3, R.O. 1978 (1983 Ed.))

Sec. 5-1.4 Liability of officers and employees on bonds.

If any bonded city officer or employee refuses or neglects to account for and pay over all moneys received by such person by virtue of such person's office or employment, such person shall be liable for such refusal or neglect upon such person's official bond, and the finance director shall bring an action against such person for the recovery thereof, in the name of the city and recover in such action, in addition to the amount so received, 50 percent thereon by way of damages. No order of the council shall be necessary to bring such action. The finance director's

reasonable expenses, including an attorney's fee if necessarily incurred, shall be a city charge. (Sec. 6-2.4, R.O. 1978 (1983 Ed.))

Article 2. Pay Plan in the Offices of the Corporation Counsel and the Prosecuting Attorney

Sections:

- 5-2.1 Deputies and clerks.**
- 5-2.2 Variations from pay plan.**

Sec. 5-2.1 Deputies and clerks.

The salary ranges and schedules of the deputies and law clerks of the departments of the corporation counsel and prosecuting attorney shall be set by the corporation counsel and prosecuting attorney respectively with the salary range and schedule of the highest ranking deputy to be five percent less than that of the corporation counsel or prosecuting attorney and for subsequent salary ranges and schedules in descending order with a five percent differential between salary ranges and schedules. (Sec. 6-3.1, R.O. 1978 (1983 Ed.))

Sec. 5-2.2 Variations from pay plan.

The department heads are authorized to set a salary of any deputy between the salary range of one LS position to another LS position including entry level. (Sec. 6-3.2, R.O. 1978 (1983 Ed.))

Article 3. Salaries of Various City Officers

Sections:

- 5-3.1 Salaries of elected officials.**
- 5-3.2 Salaries of appointed officials of the executive branch.**
- 5-3.3 Salaries of appointed officials of the council.**
- 5-3.4 Salaries of other employees of the executive branch.**

Sec. 5-3.1 Salaries of elected officials.

The salaries of all elected officials shall be established by an independent salary commission, pursuant to the charter. (Sec. 6-4.1, R.O. 1978 (1983 Ed.); Am. Ord. 88-12)

Sec. 5-3.2 Salaries of appointed officials of the executive branch.

The annual salaries of appointed officials of the executive branch, other than the manager and chief engineer of the board of water supply, shall be established by an independent salary commission pursuant to the charter. Any action of the commission altering salaries shall be by resolution accompanied by findings of fact. Said resolution shall be forwarded to the mayor and the council but shall take effect without their concurrence 60 calendar days after its adoption unless rejected by a three-quarters vote of the council's entire membership. The council may reject either the entire resolution or any portion of it. All such salaries shall be paid semimonthly out of the city treasury. (Sec. 6-4.3, R.O. 1978 (1987 Supp. to 1983 Ed.); Am. Ord. 88-12, 91-27, 91-59, 93-82, 97-02)

Sec. 5-3.3 Salaries of appointed officials of the council.

- (a) The salary of the city clerk shall not exceed an amount equal to the salaries of the department heads of the executive branch, payable semimonthly out of the city treasury.
- (b) The salaries of the deputy city clerk and the deputy director of the office of council services shall not exceed an amount equal to the salaries of the first deputy department heads of the executive branch, payable semimonthly out of the city treasury.
- (c) Positions of Staff Attorney. All positions of staff attorney in the office of council services shall be compensated at rates consistent with those attorneys in the department of the corporation counsel, payable semimonthly out of the city treasury.
- (d) Positions of Legislative Analyst. All positions of legislative analyst in the office of council services shall be compensated at rates not to exceed the highest amount payable to an employee at SR-31 in the salary schedule applicable to city and county civil service employees, payable semimonthly out of the city treasury.
- (e) Positions of Legislative Aide. The salaries of legislative aides shall be set by the chair of the city council, with the concurrence of the city council, payable semimonthly out of the city treasury.
- (f) Other Positions. All other positions shall be classified with a position classification plan set forth in HRS Chapter 77, and all persons holding such positions shall be compensated as provided by the compensation law of the state. (Sec. 6-4.4, R.O. 1978 (1987 Supp. to 1983 Ed.); Am. Ord. 88-12, 90-48, 94-89)

Sec. 5-3.4 Salaries of other employees of the executive branch.

- (a) Students. The salary rates of students hired under Revised Charter, Section 6-1103(e), shall be set by the director of personnel, payable semimonthly out of the city treasury.
- (b) Personal Services. The salaries of personal services employees hired under Revised Charter, Sections 6-1103(f), (g), (h) or (j), shall be consistent with the position classification plan established under Revised Charter, Section 6-1109, and shall be payable semimonthly out of the city treasury.
- (c) Administrative or Executive Assistants of the Prosecuting Attorney. Positions of administrative or executive assistants of the prosecuting attorney under Revised Charter, Section 6-1103(c), shall have salaries that are consistent with the position classification plan established under Revised Charter, Section 6-1109, and those salaries shall be payable semimonthly out of the city treasury.

(Added by Ord. 93-82)