
HOUSE CONCURRENT RESOLUTION

REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY
ON THE CURRENT LAW AND PROCEDURES RELATING TO THE
DISPOSITION OF VACATION CREDITS FOR PUBLIC EMPLOYEES THAT
TRANSFER TO ANOTHER DEPARTMENT IN THE SAME JURISDICTION OR
TO ANOTHER JURISDICTION.

1 WHEREAS, Section 78-23, Hawaii Revised Statutes, contains
2 provisions relating to leaves of absence for public employees;
3 and
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5 WHEREAS, currently, when a public employee is transferred
6 from one department to another within the same jurisdiction or
7 to another jurisdiction of the State, the employee must be given
8 credit for vacation earned or accumulated in the department from
9 which the employee transferred and the Director of Finance, or
10 equivalent officer, is required to transfer the appropriate
11 amount of funds to effect the employee transfer; and
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13 WHEREAS, if the state agency from which the employee
14 transferred is financed by the general fund, the amount
15 representing vacation earned is transferred to the general fund,
16 rather than the agency receiving the employee; and
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18 WHEREAS, this process results in problems for the agencies
19 involved in the transfer; and
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21 WHEREAS, the agency from which the public employee
22 transferred incurs substantial costs to cover the vacation
23 credits; and
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25 WHEREAS, in cases where the receiving state agency is
26 financed by the general fund, the transferred funds are not
27 credited to that agency and, instead, are transferred to the
28 general fund; and



1 WHEREAS, questions have arisen as to the rationale for this
2 procedure, and whether a more equitable process is available
3 with respect to the disposition of vacation credits; now,
4 therefore,
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6 BE IT RESOLVED by the House of Representatives of the
7 Twenty-sixth Legislature of the State of Hawaii, Regular Session
8 of 2011, the Senate concurring, that the Legislative Reference
9 Bureau is requested to conduct a study on the current law and
10 procedures relating to the disposition of vacation credits for
11 public employees that transfer from one department to another in
12 the same jurisdiction or transfer to another jurisdiction; and
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14 BE IT FURTHER RESOLVED that the Legislative Reference
15 Bureau assess and determine the rationale for, and soundness of,
16 the current law and procedures, and to offer viable
17 alternatives; and
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19 BE IT FURTHER RESOLVED that the Legislative Reference
20 Bureau is requested to submit a report of its findings and
21 recommendations to the Legislature no later than twenty days
22 prior to the convening of the Regular Session of 2012; and
23

24 BE IT FURTHER RESOLVED that certified copies of this
25 Concurrent Resolution be transmitted to the Director of the
26 Legislative Reference Bureau.
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OFFERED BY: _____

Calvin K. Y. Soy

MAR 16 2011

