
HOUSE 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

4
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

12
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

17
18 WHEREAS, this process results in problems for the agencies
19 involved in the transfer; and

20
21 WHEREAS, the agency from which the public employee
22 transferred incurs substantial costs to cover the vacation
23 credits; and

24
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

29 WHEREAS, questions have arisen as to the rationale for this
30 procedure, and whether a more equitable process is available



1 with respect to the disposition of vacation credits; now,
2 therefore,
3

4 BE IT RESOLVED by the House of Representatives of the
5 Twenty-sixth Legislature of the State of Hawaii, Regular Session
6 of 2011, that the Legislative Reference Bureau is requested to
7 conduct a study on the current law and procedures relating to
8 the disposition of vacation credits for public employees that
9 transfer from one department to another in the same jurisdiction
10 or transfer to another jurisdiction; and
11

12 BE IT FURTHER RESOLVED that the Legislative Reference
13 Bureau assess and determine the rationale for, and soundness of,
14 the current law and procedures, and to offer viable
15 alternatives; and
16

17 BE IT FURTHER RESOLVED that the Legislative Reference
18 Bureau is requested to submit a report of its findings and
19 recommendations to the Legislature no later than twenty days
20 prior to the convening of the Regular Session of 2012; and
21

22 BE IT FURTHER RESOLVED that certified copies of this
23 Resolution be transmitted to the Director of the Legislative
24 Reference Bureau.
25
26
27

OFFERED BY:

Calvin K. Y. Soy

MAR 16 2011

