
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

30 WHEREAS, questions have arisen as to the rationale for this
31 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, including a review of the
11 legislative history of the current law; and

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

17
18 BE IT FURTHER RESOLVED that, in conducting the study, the
19 Legislative Reference Bureau conduct a survey of the personnel
20 directors of the State Executive Branch, State House of
21 Representatives, State Senate, State Judiciary, executive
22 branches of the counties, and legislative branches of the
23 counties, on whether problems have been experienced with the
24 disposition of vacation credits for transferring employees and
25 what recommendations the personnel directors have for improving
26 the system; and

27
28 BE IT FURTHER RESOLVED that the Legislative Reference
29 Bureau is requested to submit a report of its findings and
30 recommendations to the Legislature no later than 20 days prior
31 to the convening of the Regular Session of 2012; and

32
33 BE IT FURTHER RESOLVED that certified copies of this
34 Resolution be transmitted to the Acting Director of the
35 Legislative Reference Bureau and the Acting Director of the
36 Legislative Reference Bureau is requested to send copies of this
37 Resolution to the personnel directors of the State Executive
38 Branch, State House of Representatives, State Senate, State
39 Judiciary, executive branches of the counties, and legislative
40 branches of the counties.

