
A BILL FOR AN ACT

RELATING TO SERVICES PERFORMED BY CIVIL SERVICE EMPLOYEES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. In 1997, the Hawaii supreme court ruled in
2 *Konno v. Hawaii County* that Hawaii county violated civil service
3 laws and constitutionally mandated merit principles when it
4 hired private contractors to perform landfill operations work.

5 The court ruled that services that have been historically and
6 customarily provided by civil servants cannot be privatized.

7 The legislature then enacted Act 90, Session Laws of Hawaii
8 2001, in response to *Konno*. Part II of Act 90 allowed the State
9 to contract for services that are historically and customarily
10 performed by civil service employees if equivalent or better
11 services could be provided at lower cost. However, part II of
12 Act 90 was repealed on June 30, 2007.

13 After part II of Act 90 was repealed, the United Public
14 Workers filed class grievances and lawsuits in circuit court
15 arguing that the State and counties should cease the practice of
16 contracting out or privatizing services historically and
17 customarily performed by civil service employees. The counties



1 settled with the United Public Workers and through court-ordered
2 mediation, the United Public Workers and the State executive
3 branch reached an agreement relating to services historically
4 and customarily performed by civil service employees. This
5 agreement reflected the State's commitment to comply with the
6 supreme court's ruling in *Konno*, while concurrently recognizing
7 the State's duty to provide services to the public.

8 Without a sufficient number of civil service positions and
9 employees to perform services historically and customarily
10 performed by civil service employees, state agencies have had to
11 resort to contracting for these services. In order to address
12 this situation and enable state agencies to comply with the
13 *Konno* ruling, it is estimated that the State needs an additional
14 599 permanent civil service positions and approximately
15 \$105,091,764 (for positions and associated equipment) in general
16 and non-general funds in order to provide necessary services to
17 the public.

18 The purpose of this Act is to authorize permanent civil
19 service positions for the Hawaii public housing authority to
20 better provide housing opportunities for homeless individuals
21 and others in need.



1 SECTION 2. There is authorized thirty-four full-time
2 equivalent (34.00 FTE) permanent civil service positions for the
3 Hawaii public housing authority for multi-skilled worker teams
4 to fulfill operational needs, as follows:

- 5 (1) Three full-time equivalent (3.00 FTE) general
6 construction and maintenance supervisor I positions;
- 7 (2) Three full-time equivalent (3.00 FTE) building
8 maintenance worker II positions;
- 9 (3) Five full-time equivalent (5.00 FTE) building
10 maintenance worker I positions;
- 11 (4) Four full-time equivalent (4.00 FTE) building
12 maintenance helper positions;
- 13 (5) Three full-time equivalent (3.00 FTE) general laborer
14 I positions;
- 15 (6) Three full-time equivalent (3.00 FTE) carpenter I
16 positions;
- 17 (7) Four full-time equivalent (4.00 FTE) plumber I
18 positions;
- 19 (8) Two full-time equivalent (2.00 FTE) plumber helper
20 positions;



- 1 (9) Five full-time equivalent (5.00 FTE) electrician I
2 positions;
- 3 (10) One full-time equivalent (1.00 FTE) painter I
4 position; and
- 5 (11) One full-time equivalent (1.00 FTE) welder I position.
- 6 SECTION 3. This Act shall take effect on July 1, 2050.



Report Title:

Civil Service; Establish Positions

Description:

Authorizes 34 permanent civil service positions for the Hawaii Public Housing Authority for multi-skilled worker teams to fulfill operational needs. (HB1102 HD1)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

