

ACT 30

An Act Relating to Employees of Public School Cafeterias, and Making Appropriations Therefor.

Be it Enacted by the Legislature of the State of Hawaii:

SECTION 1. Part III of Chapter 38, Revised Laws of Hawaii 1955, is hereby amended by adding two new sections to be numbered "38-37.6" and "38-37.7" and to read as follows:

"Sec. 38-37.6. Cafeteria workers. All cafeteria workers employed in the department shall be employed under the provisions of chapter 3 and shall have their compensation fixed in accordance with the provisions of chapter 4, and the monthly rates of basic compensation so determined shall be payable for employment over a twelve-month period. All cafeteria workers shall be employed on a full-time basis, except that a limited number of part-time workers may be employed in elementary schools. The department shall establish a schedule, based on factors which determine the need for part-time workers, fixing the number of part-time workers that may be employed in an elementary school. The term 'cafeteria workers' includes all employees of any public school cafeteria other than the cafeteria manager."

"Sec. 38-37.7. Compensation payable from general fund. The compensation of all cafeteria workers of all regular public school cafeterias

operating on a full-time basis and covered by the State's national school lunch program agreement shall be paid out of the general fund of the State upon warrants issued by the comptroller of the State based on vouchers approved by the principals of such schools. On or before the last day of each month, the principal of each school operating such cafeteria shall transfer to the general fund of the State an amount which shall be determined by the department for the personnel of each school on the basis of the schedule created in Section 38-37.6, and all such amounts are hereby appropriated for the payment of the compensation of cafeteria workers."

SECTION 2. Notwithstanding the provisions of any other law to the contrary, no cafeteria worker having tenure immediately prior to the effective date of this Act shall suffer any loss of salary, seniority, prior service credit, vacation, sick leave or other employee benefits or privileges as a consequence of this Act.

SECTION 3. There is hereby appropriated out of the general revenues of the State, not otherwise appropriated, but in addition to the funds appropriated in section 1 of this Act, the sum of \$420,000, or so much thereof as may be necessary, to the department of public instruction, to carry out the purpose of this Act for the period beginning November 1, 1959 and ending on March 31, 1960. Such funds shall be expended by the department of public instruction in the same manner as funds appropriated to it in the general appropriation act.

SECTION 4. This Act shall take effect upon its approval.

(Approved November 25, 1959.) **H.B. 47.**