

ACT 164

S.B. NO. 846

A Bill for an Act Relating to Annual Salary Increment and Longevity Pay Increases and Amending Chapter 89, Hawaii Revised Statutes.

Be It Enacted By The Legislature Of The State Of Hawaii:

SECTION 1. Section 89-9(d), Hawaii Revised Statutes, is amended to read as follows:

“(d) Excluded from the subjects of negotiations are matters of classification and reclassification, retirement benefits and the salary ranges and the number of incremental and longevity steps now provided by law, provided that the amount of wages to be paid in each range and step and the length of service necessary for the incremental and longevity steps shall be negotiable. Notwithstanding any law to the contrary, a bargaining unit employee shall be entitled to his normal annual increment or longevity increase, as the case may be, during the period July 1, 1975 through June 30, 1976 subject to the

following applicable conditions:

- (1) A nonsupervisory or supervisory blue collar employee covered by chapter 77 and who is at step 1, 2, 3, or 4 shall be entitled to an incremental increase on his service anniversary date provided his appointing authority certifies that he has rendered a year's satisfactory service. Any employee not being compensated at step 1, 2, 3, 4, or 5 and who has served satisfactorily for one year shall be moved to the next higher increment step on his service anniversary date provided there is such a step.
- (2) An employee in bargaining unit 3, 4, 9, 10, 11, 12, or 13 who is covered by chapter 77 and who is at step B, C, D, E, or F shall be entitled to an incremental increase on his service anniversary date provided his appointing authority certifies that he has rendered a year's satisfactory service. Any employee not being compensated at step B, C, D, E, F, or G and who has served satisfactorily for one year shall be moved to the next higher increment step on his service anniversary date provided there is such a step.
- (3) An employee in bargaining unit 3, 4, 9, 10, 11, 12, or 13 who is covered by chapter 77 and who has served satisfactorily for three years at step G, L-1, L-2,⁴ or L-3 shall be entitled to a longevity step increase on his service anniversary date. Any employee whose pay rate is above step G but is not at step L-1, L-2, L-3, or L-4 and who has served satisfactorily for three years shall be moved to the next higher longevity step on his service anniversary date provided there is such a step.
- (4) An employee in bargaining unit 8 who is at step 1, 2, 3, 4, 5, 6, or 7, as established by the rules and regulations of the board of regents, shall be entitled to an incremental increase on his service anniversary date provided his appointing authority certifies that he has rendered a year's satisfactory service. Any employee not being compensated at step 1, 2, 3, 4, 5, 6, 7 or 8 and who has served satisfactorily for one year shall be moved to the next higher increment step on his service anniversary date provided there is such a step.
- (5) An employee in bargaining unit 8 who has served satisfactorily for two years at step 8 or special step A, as established by the rules and regulations of the board of regents, shall be entitled to a longevity step increase on his service anniversary date. Any employee whose pay rate is above step 8 but is not at special step A or special step B and who has served satisfactorily for two years shall be moved to the next higher longevity step on his service anniversary date provided there is such a step.
- (6) Employees in bargaining unit 7 shall be treated in the same or similar manner as those employees covered by chapter 77 and as prescribed by paragraphs (1), (2), (3), (4), and (5) above, as applicable.
- (7) Services prior to June 30, 1975 in which salary increases were granted in lieu of increment or longevity increases under a collective bargaining agreement shall not count as service creditable for

increment or longevity purposes when applying paragraphs (1), (2), (3), and (4) above.

Effective July 1, 1976, an employee shall not be entitled to his normal annual increment or longevity increase, as the case may be, in any fiscal year that an increase in the applicable salary or wage board schedule is effected, whether by statute or agreement, and no part of such a fiscal year shall be counted as service creditable for any future increment or longevity pay increase; provided that any collective bargaining agreement, the expiration date of which is beyond June 30, 1976, which provides for a general wage adjustment together with incremental and longevity increases shall be observed in accordance with the terms of the agreement in effect on June 30, 1975 for an employee covered by such agreement. The employer and the exclusive representative shall not agree to any proposal which would be inconsistent with merit principles or the principle of equal pay for equal work pursuant to sections 76-1, 76-2, 77-31, and 77-33, or which would interfere with the rights of a public employer to (1) direct employees; (2) determine qualification, standards of work, the nature and contents of examinations, hire, promote, transfer, assign, and retain employees in positions and suspend, demote, discharge, or take other disciplinary action against employees for proper cause; (3) relieve an employee from duties because of lack of work or other legitimate reason; (4) maintain efficiency of government operations; (5) determine methods, means, and personnel by which the employer's operations are to be conducted; and take such actions as may be necessary to carry out the missions of the employer in cases of emergencies."

SECTION 2. Appropriation. There is appropriated the sum of \$4,540,000 in general funds, \$398,000 in federal funds and \$534,400 in special and other funds for the fiscal year 1975-76 to Program Planning, Analysis and Budgeting (BUF 101) to be allotted to the appropriate programs by the director of finance for the purposes of this Act.

SECTION 3. Statutory material to be repealed is bracketed. New material is underscored. In printing this Act, the revisor of statutes need not include the brackets, the bracketed material, or the underscoring.*

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

(Approved June 2, 1975.)

*Edited accordingly.