

ACT 102

S.B. NO. 1843

A Bill for an Act Relating to the Workers' Compensation Payment Function.

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

SECTION 1. The purpose of this bill is to empower the director of personnel services to pay any claims against the state as required under chapter 386.

SECTION 2. Section 76-13, Hawaii Revised Statutes, is amended to read as follows:

“§76-13 Specific duties and powers of director. The director of personnel services shall direct and supervise all the administrative and technical activities of the director's department. In addition to other duties imposed upon the director by this chapter and chapter 77, the director shall:

- (1) Attend all meetings of the commission;
- (2) Establish and maintain a roster of all persons in the civil service in which shall be set forth, as to each, the class of position held, the salary or pay, any change in class, title, pay, or status, and any other necessary data;
- (3) Appoint such assistants and employees as may be necessary to assist the director in the proper performance of the director's duties and for which appropriations shall have been made;
- (4) Foster and develop, in cooperation with appointing authorities and others, programs for the improvement of employee efficiency;
- (5) Cooperate fully with appointing authorities in the administration of this chapter and chapter 77 in order to promote public service and establish conditions of service which will attract and retain employees of character and capacity, and to increase efficiency and economy in governmental departments by the improvement of methods of personnel administration with full recognition of the requirements and needs of management;
- (6) Encourage and exercise leadership in the development of effective personnel administration within the several departments in civil service and make available the facilities of the director's department to this end;
- (7) Investigate from time to time the operation and effect of this chapter and chapter 77 and of the rules adopted thereunder;
- (8) Develop and maintain a position classification plan; and
 - (A) Create and adjust classes of positions and adopt class specifications including title, description of typical duties and responsibilities, statement of training and experience and other requirements to be met by applicants, covering all positions;
 - (B) Allocate each position and each newly created position to the appropriate class;

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- (C) Reallocate positions to recognize material changes in duties and responsibilities or to correct a previous action. Reallocations shall be made effective retroactively to the beginning of the pay period immediately following the date the application for reallocation was filed with the director or such other date as provided by the rules and regulations; provided that an employee who is otherwise properly compensated shall not be required to make reimbursement of overpayment in salary when such overpayment is due to salary increments or repricing actions nullified by the retroactive feature of a classification action; and provided further that the proper salary adjustment shall be made as of the first pay period following the action taken by the director;
- (D) Determine the status of employees holding positions affected by classification actions;
- (9) Pay any claims against the State as required under chapter 386;
- [(9)] (10) Perform any other lawful acts deemed by the director to be necessary or desirable to carry out the purposes and provisions of this part."

SECTION 3. Statutory material to be repealed is bracketed. New statutory material is underscored.

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

(Approved May 19, 1989.)