

EXECUTIVE ORDER NO. 24-02

(Civil Service Employees in Engineer Positions Excluded from Bargaining Unit 13)

WHEREAS, under chapter 89C of the Hawaii Revised Statutes (HRS), the Governor is granted the authority to make adjustments to the wages, hours, benefits, and other terms and conditions of employment for elected and appointed officials, and employees in the executive branch who are excluded from collective bargaining coverage; and

WHEREAS, for excluded employees who are civil service employees under the same classification systems as employees within collective bargaining units, HRS chapter 89C requires that the adjustments be “not less than” those provided under the collective bargaining agreements for employees hired on a comparable basis; and

WHEREAS, HRS chapter 89C also requires that the adjustments for excluded civil service employees result in compensation and benefit packages that are “at least equal to” the compensation and benefit packages provided under collective bargaining agreements for counterparts and subordinates within the Employer’s jurisdiction; and

WHEREAS, the State of Hawai‘i has entered into a supplemental agreement regarding the Compensation for Engineer Classes in Bargaining Unit (BU) 13 with the Hawai‘i Government Employees Association (HGEA) as the exclusive representative for BU 13, and which terms and conditions have been accepted and ratified by the bargaining unit; and

WHEREAS, consistent with the agreed-upon terms and conditions, the Director of Human Resources Development has recommended to the Governor the

adjustments specified in this executive order for civil service employees in Engineer classes within the executive branch who are excluded from BU 13.

NOW, THEREFORE, I, Josh Green, M.D., Governor of Hawai'i, pursuant to my executive authority under articles V and VII of the Constitution of the State of Hawai'i, the provisions of chapters 37 and 89C of the Hawaii Revised Statutes, and all other applicable authority, do hereby order effective June 1, 2024, the following for civil service employees in engineer positions excluded from BU 13 and Excluded Managerial Compensation Plan (EMCP) employees excluded from BU 13:

- A. For non-EMCP civil service employees, the same provisions provided to their included BU counterparts under the supplemental agreement titled Compensation for Engineer Classes in Bargaining Unit 13 including subsequent agreements unless otherwise specifically stated in executive order.
- B. For EMCP employees in the Engineering Program Manager, Engineering Program Administrator, Public Works Manager (Engineer), Public Works Administrator (Engineer), and Central Services Administrator classes employed as of May 31, 2024, the following adjustment effective June 1, 2024:
 1. Add the employee's current basic rate of pay plus shortage differential. The sum shall equal the employee's new basic rate of pay provided:
 - a. EM07 employees whose sum is less than \$12,987 per month shall receive a new basic rate of pay of \$12,987 per month.

- b. EM08 employees whose sum is less than \$13,620 per month shall receive a new basic rate of pay of \$13,620 per month.
- 2. Employees' existing shortage differential shall be terminated. The compensation for EMCP employees hired on or after June 1, 2024 shall be at the minimum or as determined by the appointing authority using the EMCP salary matrix.

IT IS FURTHER ORDERED that this executive order does not apply to:

(1) employees of public charter schools, the Department of Education, and the University of Hawai'i; (2) exempt appointments; and (3) those executive branch employees whom I later determine shall not receive the aforementioned adjustments; and

IT IS FURTHER ORDERED that this executive order is not intended to create, and does not create, any rights or benefits, whether substantive or procedural, or enforceable at law or in equity, against the State of Hawai'i or its agencies, departments, entities, employees, or any other person; and

IT IS FURTHER ORDERED that these provisions are subject to amendment by executive order.

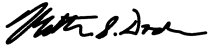
The Director of Human Resources Development shall be responsible for the uniform administration of this executive order and is authorized to make any interpretations concerning the applicability of these adjustments to the employees of the State government executive branch who are excluded from collective bargaining coverage.

DONE at the State Capitol, Honolulu,
State of Hawai'i, this 28th day of
May, 2024.



JOSH GREEN, M.D.
Governor

APPROVED AS TO FORM:



MATTHEW S. DVONCH
Acting Attorney General