	<b>DEPARTMENT OF PUBLIC SAFETY</b>	<b>EFFECTIVE DATE:</b> 5/10/2023	<b>POLICY NO.:</b> ADM.03.17
	<b>DEPARTMENT ADMINISTRATION  POLICY AND PROCEDURES</b>	<b>SUPERSEDES (Policy No. &amp; Date):</b> NEW	
	<b>SUBJECT:</b> <b>COMPENSATION AND BENEFITS</b>		Page 1 of 10

## 1.0 PURPOSE

The purpose of this policy is to describe compensation and benefits available for regular members of the department.

This policy is not intended to, nor should it be construed as, creating any contractual rights for employees. The Department reserves the right at its sole discretion, to change, alter, amend, modify, or discontinue benefits as permitted by law and collective bargaining agreement(s).

## 2.0 SCOPE

This statewide policy applies to all personnel of the Department of Public Safety. To the extent that any Department of Public Safety (PSD), Sheriff Division (SD), Narcotics Enforcement Division (NED) or Internal Affairs Office (IAO) policies or directives conflict with this statewide policy, ADM.03.17 shall take precedence. If any part of this policy is found to be in conflict with law or otherwise rendered invalid, the remainder of this policy shall be considered severable and remain in effect.

## 3.0 REFERENCES, DEFINITIONS & FORMS

### .1 References

- a. Hawai'i Revised Statutes (HRS), § 26-14, Department of Public Safety
- b. HRS, §353C-2, Director of Public Safety, Powers, and Duties
- c. HRS, § 353C-3, Deputy Directors; Appointment
- d. HRS, § 353C-4, Appointment of employees with police powers and other employees
- e. Hawai'i Administrative Rules (HAR), § 14-8, Leave Sharing Program Requirements
- f. HAR, § 23-1-5, Director's Authority

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- g. HAR, Chapter 41, Deferred Compensation Plan Rules
- h. HAR, Chapter 51, Premium Conversion Plan Rules
- i. HAR, Chapter 52, Flexible Spending Account Rules
- j. Department of Human Resources Development (DHRD), 501.002, Department Directed Leave
- k. DHRD, 501.004, Parent Teacher Conference Leave
- l. DHRD, 501.005, Disaster Relief Leave
- m. Summary of Employee Benefits for State of Hawai'i Executive Branch Employees, May 2017
- n. Retirement Benefit Information Guide for State Executive Branch Employees
- o. Resource for Employee Assistance and Counseling Help (REACH) Program (rev. 04/16/12)
- p. State of Hawai'i Employees' Retirement System (ERS) - Hawaii.gov
- q. State of Hawai'i Employer-Union Health Benefits Trust Fund (EUTF) - Hawaii.gov

**.2 Definitions**

- a. **Appointing Authority** - For the purposes of the Department of Public Safety Policies, the Director.
- b. **Civil Service and Civil Service Positions** - All positions within a jurisdiction that are not exempted by HRS §§ 46-33, 76-26 or 76-77 or by other law and must be filled through civil service recruitment procedures based on merit.
- c. **Civil Service Appointment** - An appointment to a civil service position from an appropriate list of eligibles.

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- d. Civil Service Employee - An individual who has met all requirements for membership in the civil service under HRS §§ 76-1 and /or 76-27.
- e. Civil Service Recruitment Procedure - The procedure for the competitive process by which an applicant is deemed qualified for a civil service appointment.
- f. Law Enforcement Officer - Department Law Enforcement Officers (LEOs) who receive an appointment to a position in which he/she is granted police authority under HRS §353C-4. This shall include Deputy Sheriffs, Sheriff Division Investigators, Narcotics Enforcement Division Investigators, and Internal Affairs Office Investigators.
- g. Leave of Absence - A temporary absence, paid or unpaid, from duty granted upon the employee's request.
- h. Position - The duties and responsibilities, or work, assignable to one employee. A position may be filled or vacant.
- i. Regular Employee - An employee who has been appointed to a position in the civil service in accordance with Chapter 76, Hawai'i Revised Statutes, and who has successfully completed the employee's initial probation period, or as provided by statute.
- j. Regular Status - The status and rights enjoyed by an employee upon satisfactory completion of the employee's initial probation period, or as provided by statute.

.3 Form(s)

Hawai'i Information Portal (HIP) is available on a secure website:  
(<https://ags.hawaii.gov/hip/>)

4.0 POLICY

The Department of Public Safety (PSD), in coordination with the State of Hawaii, will maintain a competitive compensation and benefits plan that will be fairly and equitably applied to all employees.

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**5.0 PROCEDURES**

**.1 Compensation**

- a. The compensation program shall be based on merit and contribute to the selection and retention of employees. The program of portions thereof may be extended to civilian civil service positions as required by law, rules, and statutes. Examples may include:
  - 1. An entry-level salary position for each position;
  - 2. Salary differentials within positions, including differentials for those positions requiring special skills;
  - 3. Salary differentials between positions;
  - 4. A compensatory time policy,
  - 5. An overtime policy; and
  - 6. Salary augmentation (Pay differential/premium) plan.
- b. Compensation adjustments for employees covered by collective bargaining shall be in accordance with the applicable bargaining agreements.
- c. Compensation adjustments for employees excluded from collective bargaining agreements shall be in accordance with applicable executive orders.
- d. Compensation adjustments for movements between bargaining units and circumstances not covered in sections 5.1.b and 5.1.c above shall be in accordance with the rules and regulations of the state Department of Human Resources Development (DHRD).

**.2 Benefits**

- a. Holidays
  - 1. The State of Hawaii observes 13 holidays annually and 14 in an election year.

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2. All permanent, full-time employees shall be entitled to and granted leaves of absence for holidays, injuries/illnesses, annual vacations, and authorized administrative purposes.
3. The circumstances, conditions, limitations, accrual rates, procedures for application and approval, and scheduling of the respective leaves of absence are described in the Hawai'i Revised Statutes, collective bargaining agreements (CBA) HRD's rules and regulations and departmental policies.

b. Leaves

1. Vacation leave: may be earned up to 21 days for each full year of employment and may be carried over from year to year, within limits.
  - a) HIP request should be submitted two (2) weeks prior to date(s) requested.
  - b) Only in exigent circumstances shall earlier requests for leave of absence be approved by the immediate supervisor
2. Sick Leave: may be earned at the same rate— up to 21 days per year which may be accumulated and carried over from one year to the next.
  - a) Notification of absence from duty on account of illness shall be given:
  - b) A minimum of 30 minutes prior to the start of the employee's scheduled workday or if impracticable as soon thereafter as circumstances
  - c) In operations where employees on a shift normally relieve employees on the previous shift, notification of absence shall be given at least two (2) hours prior to the start of the employee's scheduled shift;
  - d) Except in extenuating circumstances whereby an employee is unable to provide such notice; and if known

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- e) Approximate time of return to duty.
  - f) If in the opinion of the department head, such notification has not been given in accordance with the CBA. Such absence may, in the discretion of the department head, be charged to vacation allowance or leave without pay.
3. Prolonged Illness:
- a) Employee shall call their supervisor every week to report on their status.
  - b) Supervisor shall also call employee to update status of employee.
4. All Law Enforcement personnel shall be responsible for notifying their immediate supervisor or Officer in Charge (OIC) in the event of absences from duty.
5. If unable to contact their immediate supervisor, Sheriff's Control shall be notified at least 30 minutes prior to the state of employee's shift.
6. It shall be the responsibility of Sheriff's Control personnel to notify the supervisor that a subordinate will not report for duty as scheduled due to illness. Notification shall be done prior to the start of the employee's shift.
7. Application for Leave of Absence:
- a) A HIP request for sick leave shall be submitted within five (5) working days after the return to duty.
  - b) The employee's immediate supervisor shall review and approve the HIP request.
8. Family Leave
- a) Hawai'i Family Leave Law
  - b) Federal Family and Medical Leave Act (FMLA)

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If an employee qualifies for both State Family Leave and Federal family Leave Act, both leave periods will run concurrently.

9. Leave Sharing Program

Under this program you may be eligible to give and receive donated vacation credits within the department. The purpose of this program is to ease the burden of fellow departmental co-workers who would otherwise need to take time off from work without pay to recover from a serious personal illness/injury or to care for a family member who has a serious person injury/illness and is incapable of self-care. Please contact the Departmental Human Resources Office to donate vacation leave credits or to request leave share.

10. Military Leave

The Department of Public Safety protects the job rights of its employees who are members of the Reserves or National Guard when absent on military leave in accordance with applicable federal and state laws. Refer to LAW.03.24, Military Leave.

11. Administrative Leaves

Employees are eligible for other leaves, such as:

- a) Bereavement Leave,
- b) Jury Duty,
- c) Parent-Teacher Conferences,
- d) Foster Parent Leave to attend family court hearings,
- e) Disaster Relief,
- f) Blood Bank Donations,
- g) Bone Marrow Testing,
- h) Bone Marrow / Organ Donation.

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For more specific information, consult respective collective bargaining agreements and/or contact the Departmental Human Resources Office.

c. Benefits

1. Health Benefits

The state offers eligible employees a choice of health insurance plans, medical, drug, chiropractic, dental and vision through the Hawai'i Employer-Union Health Benefits Trust Fund (EUTF). For more information, please refer to the current plan year EUTF Reference Guide for Your Health Benefits for Active Employees booklet or their website, [eutf.hawaii.gov](http://eutf.hawaii.gov)

2. Group Life Insurance

Group Life Insurance benefits are provided through the EUTF for active employees. Further information may be found in the EUTF Reference Guide for Your Health Benefits for Active Employees booklet or their website, [eutf.hawaii.gov](http://eutf.hawaii.gov)

3. Retirement Program

- a) The Employee Retirement System (ERS) provides retirement, disability retirement and survivor benefits to State and county government employees who qualify for these benefits.
- b) The ERS is a qualified pension plan under Section 401(a) of the Internal Revenue Service Code where member's retirement contributions are tax deferred. The ERS is a defined benefit plan where your pension is based on your salary and years of service.
- c) Members are covered by the provisions of the Contributory, Noncontributory, and Hybrid retirement plans. Contributory and Hybrid plan members are required to make contributions to the ERS. Noncontributory members do not make contributions. The majority of the new employees are required to be members of the hybrid plan which has two (2) benefit structures based on the membership date either before or after July 1, 2012.

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Please refer to the plan summary for detailed explanation. For more information, go to the ERS website, <https://ers.ehawaii.gov>.

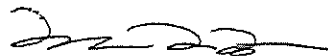
4. Liability Protection
 

Employees accused actions or omissions directly related to their law enforcement function leading to personal injury, death, or property destruction that could lead to legal civil action against them may be represented by counsel from the Office of Attorney General or other state appointed/approved counsel.
5. Pre-Tax Benefit Programs
  - a) Premium Conversion Plan.
  - b) Island Saving Plan / Deferred Compensation Plan (IRC 457).
  - c) Island Flex Plan (Flexible Spending Account).
  - d) Flex Park Program.
  - e) Pre-Tax Transportation Benefits.
6. Other Benefit Programs
  - a) Workers Compensation Benefits.
  - b) Temporary Disability Benefits.
  - c) Resource for Employee Assistance and Counseling Help (REACH) Program.
  - d) HI529 - Hawai'i College Savings Program (IRC 529).
  - e) Training and Continuing Education.

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APPROVAL RECOMMENDED:



05/10/2023

DEPUTY DIRECTOR FOR ADMINISTRATION      DATE



05/10/2023


DEPUTY DIRECTOR FOR CORRECTIONS      DATE



05/10/2023

DEPUTY DIRECTOR FOR LAW ENFORCEMENT      DATE

APPROVED:



05/10/2023

DIRECTOR      DATE

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