



**STATE OF HAWAII
DEPARTMENT OF EDUCATION**

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OFFICE OF THE SUPERINTENDENT

March 3, 2022

TO: The Honorable Catherine Payne
Chairperson, Board of Education

FROM: Keith T. Hayashi 
Interim Superintendent

SUBJECT: **Board Action on Declaration of Annual Reduction In Force (“RIF”) for Classified Employees to Initiate Collectively Bargained Placement Rights for Employees Displaced Due to Changes in Staffing Needs**

1. EXECUTIVE SUMMARY

The Hawaii State Department of Education (Department) requests authorization from the Board of Education (Board) to commence a Reduction in Force (RIF) for classified employees whose positions will not be funded in School Year 2022-2023 due to lack of work, need, or funds.

As part of the annual budget process, principals decide changes in funding and/or allocated personnel based on available resources for student educational needs. As a result, seven (7) permanent employees may be entitled to placement rights in positions that will not be funded next school year; however, this may change.

Affected employees will be provided written notice at least 90-days prior to the RIF or no later than April 2, 2022. The Office of Talent Management (OTM) anticipates that most affected employees could be placed in other positions within the Department, including permanent, temporary, and part-time positions. The Board has authorized a RIF in each of the past nine years. The Hawaii Government Employees Association (HGEA) and United Public Workers (UPW) have been notified about the anticipated RIF.

2. RECOMMENDATION

It is recommended that the Board authorize the Department to commence a RIF for classified employees so that the Department may initiate the collectively bargained reassignment and bumping rights processes for the affected employees.

3. RECOMMENDED EFFECTIVE DATE

Discussion and action to be taken at the Board's March 3, 2022 General Business meeting.

4. DISCUSSION

a. Conditions leading to the recommendation:

Every year, as part of the annual budget process, principals must make decisions about changes in program needs, funding, and/or allocated personnel. When the decisions result in the elimination of filled positions due to lack of work, lack of need, or lack of funds, the employees in those positions may be entitled to placement rights under the respective collective bargaining agreements. In the past nine years, the majority (98%) of employees were successfully placed into other positions, obtained positions through the normal recruitment process, or chose to resign or retire.

Before the Department can initiate the placement processes, it requires Board authorization in the form of a declaration of a RIF (sometimes referred to as "layoff"). The RIF procedures require at least 90-days prior written notice to the affected employees, which the Department intends to provide no later than April 2, 2022. Therefore, the Board's action is requested at the March 3, 2022 meeting.

There are currently seven (7) employees whose positions will be affected by the RIF declaration; however, this may change due to possible adjustments in staffing needs up to the start of the RIF process.

b. Previous action of the Board on the same or similar matters:

The Board has authorized a RIF for each of the past nine years.

c. Other policies affected:

None.

d. Arguments in support of the recommendation:

The Department's principals have determined that staff reductions are warranted upon consideration of the needs of our students and available resources.

OTM anticipates that most of the affected employees could be placed in other positions within the Department, including permanent, temporary, and part-time positions. However, the final decision is ultimately made by each employee.

Board authorization is requested at the March 3, 2022 meeting as a delayed decision will result in additional costs to the Department to fund positions beyond July 1, 2022, to comply with the 90-day prior written notice.

e. Arguments against the recommendation:

None.

f. Other agencies or departments of the State of Hawaii involved in the action:

None.

g. Possible reaction of the public, professional organizations, unions, Department staff, and/or others to the recommendations:

The HGEA and UPW have been notified about the anticipated RIF. Despite the customary and annual nature of the RIF declaration, we anticipate that there should be little, if any, adverse reaction. As always, the Department will work collaboratively with eligible employees and their unions to find other placements within the Department.

h. Educational implications:

The educational implications were the primary consideration for the school/complex area/state administrators in determining the need to reduce positions.

i. Personnel implications:

The Department will follow the staff placement processes in accordance with the respective collective bargaining agreements.

j. Facilities implications:

None.

k. Financial implications:

Schools and complex areas can redirect resources, as appropriate, to maximize student learning.

5. OTHER SUPPLEMENTARY RECOMMENDATIONS

None.

KTH:sb