




STATE OF HAWAII  
DEPARTMENT OF EDUCATION  
P.O. BOX 2360  
HONOLULU, HAWAII 96804

OFFICE OF THE SUPERINTENDENT

September 1, 2022

TO: The Honorable Kaimana Barcarse  
Chairperson, Human Resources Committee

FROM: Keith T. Hayashi  
Superintendent 

SUBJECT: **Committee Action on Compensation Adjustments for Department of Education Excluded Managerial Compensation Plan (“EMCP”) Employees**

1. EXECUTIVE SUMMARY

- The Hawaii State Department of Education (Department) seeks approval of the compensation adjustments for its employees in the Excluded Managerial Compensation Plan (EMCP) who are excluded from the Hawaii Government Employees Association (HGEA) Bargaining Unit (BU) 13.
- The recommended adjustments are for the period of July 1, 2021 through June 30, 2025, the same four-year period as the agreements for the BU 13 counterparts.

2. RECOMMENDATION

The Department recommends the Hawaii State Board of Education (Board) approve the salary updates (Attachment 1) and tentative agreement (Attachment 2) for EMCP employees excluded from HGEA BU 13.

3. RECOMMENDED EFFECTIVE DATE

Upon approval, the Department will process adjustments retroactive to July 1, 2021 and at appropriate intervals through June 30, 2025, as outlined in the attachments. Retroactive adjustments will not apply to 89-day non-civil service appointments, exempt appointments, or temporary assignments of non-EMCP employees.

4. RECOMMENDED COMPLIANCE DATE (if different from the effective date)

Not applicable.

5. DISCUSSION

a. Conditions leading to the recommendation:

[§89C-2, Hawaii Revised Statutes \(HRS\)](#), requires the “appropriate authority” to adjust the wages and benefits of its employees who are excluded from collective bargaining. Such employees are entitled to adjustments that are “not less than” those provided to included counterparts under the collective bargaining agreements. The Board is the statutory “appropriate authority” for Department employees.

Upon considering the compensation adjustments authorized for BU 13 and other employees within the Department, as well as EMCP employees in other local jurisdictions, the Department suggests six compensation actions over the four-year period. Similar to most other bargaining units, one is a retroactive lump sum payment and three are across-the-board percent increases. The other two are increases within the salary range comparable to step movements for the included BU 13 counterparts.

The HGEA collective bargaining agreement covering Department employees in BU 13 expired on June 30, 2021. When Act 276, SLH 2022, became law on July 8, 2022, new tentative agreements for BU 13 went into effect retroactive to July 1, 2021. The terms included adjustments to salaries and other negotiated provisions. [§89C-3, HRS](#), requires adjustments to compensation and benefits packages for excluded civil service employees that are “at least equal to” those provided under collective bargaining agreements for employees hired on a comparable basis.

b. Previous action of the Board and Committee(s) on the same or similar matter:

On March 4, 2021, the Board approved the last adjustments for EMCPs for the period effective July 1, 2019 through June 30, 2021. The authorized adjustments for EMCP were not less than the negotiated adjustments for the Department employees in BU 13.

c. Other policies affected:

None.

d. Arguments in support of the recommendation:

There are currently six vacant EMCP positions in the Department. Approving the recommended compensation adjustments will support the Department's recruiting efforts and help increase staff retention for these essential positions. These positions provide direct support to complex areas and schools, especially in the areas of budget and facilities support.

e. Arguments against the recommendation:

None.

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

In previous discussions, the EMCP employees advocated to have their salary schedule match that of their counterparts in the Department of Human Resources and Development (DHRD). The Department conducted a review and determined it was appropriate to align the minimum and maximum ranges of the Department's EMCP salary schedule with that of DHRD, which has similar job classes.

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

The Department anticipates staff reaction to be positive regarding these compensation increases as it acknowledges the staff's role, knowledge, skills, and abilities in supporting schools and students.

The Department will notify the affected EMCP employees and the HGEA once the recommended salary adjustments have been approved.

h. Educational implication:

Fair and equitable compensation for all Department employees will support a high-performing culture where all employees effectively contribute to student success.

i. Personnel implications:

The Department has 21 EMCP employees who will receive adjustments to their salaries.

j. Facilities implications:

The EMCP compensation adjustments have no impact on Department facilities.

k. Financial implications:

The total cost is approximately \$480,000 and will be funded by the collective bargaining appropriation that was approved by the legislature during the 2022 legislative session.

KTH:sb:

Attachments: 1) Salaries

a) Exhibit A

b) Exhibit B

c) Exhibit C

d) Exhibit D

2) Bargaining Unit 13 Tentative Agreement

c: Office of Talent Management

## SALARIES

Applicable to EMCP employees excluded from BU 13

Pursuant to the authority of Chapter 89C, Hawaii Revised Statutes, the following salary adjustments shall be implemented for Department of Education employees on the Excluded Managerial Compensation Plan (EMCP) who are excluded from Bargaining Unit (BU) 13 and coded as BU 35.

1. **Effective July 1, 2021:** Employees who were employed as of June 30, 2021 shall receive a one-time lump sum payment equal to one thousand dollars (\$1,000), provided those who are less than full-time shall receive a prorated amount.
2. **Effective July 1, 2022:**
  - A. The salary schedule designated in Exhibit A shall be replaced with the salary schedule in Exhibit B.
  - B. Employees who were employed as of June 30, 2022 shall receive a 3.71% increase to their base rate of pay or shall have their pay increased to the new salary range minimum.
3. **Effective July 1, 2023:**
  - A. The salary schedule designated in Exhibit B shall be replaced with the salary schedule in Exhibit C.
  - B. Employees who were employed as of June 30, 2023 shall receive a 4.6% increase to their base rate of pay or shall have their pay increased to the new salary range minimum.
4. **Effective January 1, 2024:**
  - A. Employees who were employed as of December 31, 2023 and have completed at least one year of creditable service before January 1, 2024 shall earn one Within Range Progression\*\* (WIRP) increase.
  - B. Employees who complete one year of creditable service after January 1, 2024, but no later than June 30, 2024, shall earn one WIRP increase\*\* effective the date the Employee completes the one year of creditable service.
5. **Effective July 1, 2024:**
  - A. The salary schedule designated in Exhibit C shall be replaced with the salary schedule in Exhibit D.
  - B. Employees who were employed as of June 30, 2024 shall receive a 3.59% increase to their base rate of pay or shall have their pay increased to the new salary range minimum.
6. **Effective January 1, 2025:**
  - A. Employees who were employed as of December 31, 2024 and have completed at least one year of creditable service before January 1, 2025 shall earn one Within Range Progression\*\* (WIRP) increase.
  - B. Employees who complete one year of creditable service after January 1, 2025, but no later than June 30, 2025, shall earn one WIRP increase\*\* effective the date the Employee completes the one year of creditable service.

\*\*For the purpose of these sections:

- a. "Creditable service" for WIRP increases shall mean employment in any EMCP position within the Department, provided there is no break in service. Unpaid leave shall result in an adjusted eligibility date; and

- b. The Employee's new pay shall not be more than the maximum rate of the applicable salary range on Exhibit C or D. If the sum of the Employee's existing pay plus WIRP and any applicable shortage differential exceeds the maximum rate, the Employee's new pay shall equal the maximum rate.

EXHIBIT A

State of Hawaii  
DEPARTMENT OF EDUCATION

Effective Date: 07/01/2020

Bargaining Unit: 35 Excluded Managerial

		Min	Max	WIRP			Min	Max	WIRP
EM01	Annual	77,040	128,496	165	EM05	Annual	93,648	156,192	200
	Monthly	6,420	10,708			Monthly	7,804	13,016	
	8 hour	296.32	494.24			8 hour	360.16	600.72	
	Hourly	37.04	61.78			Hourly	45.02	75.09	
EM02	Annual	80,868	134,952	173	EM06	Annual	98,304	162,840	207
	Monthly	6,739	11,246			Monthly	8,192	13,570	
	8 hour	311.04	519.04			8 hour	378.08	626.32	
	Hourly	38.88	64.88			Hourly	47.26	78.29	
EM03	Annual	84,960	141,684	182	EM07	Annual	103,236	171,180	218
	Monthly	7,080	11,807			Monthly	8,603	14,265	
	8 hour	326.80	544.96			8 hour	397.04	658.40	
	Hourly	40.85	68.12			Hourly	49.63	82.30	
EM04	Annual	89,184	148,752	191	EM08	Annual	108,384	180,828	232
	Monthly	7,432	12,396			Monthly	9,032	15,069	
	8 hour	343.04	572.16			8 hour	416.88	695.52	
	Hourly	42.88	71.52			Hourly	52.11	86.94	

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Effective Date: 07/01/2022

Bargaining Unit: 35 Excluded Managerial

		Min	Max			Min	Max
EM 01	Annual	80,532	134,004	EM 05	Annual	97,908	162,900
	Monthly	6,711	11,167		Monthly	8,159	13,575
	8 hour	309.76	515.44		8 hour	376.56	626.56
	Hourly	38.72	64.43		Hourly	47.07	78.32
EM 02	Annual	84,504	140,748	EM 06	Annual	102,756	169,836
	Monthly	7,042	11,729		Monthly	8,563	14,153
	8 hour	325.04	541.36		8 hour	395.20	653.20
	Hourly	40.63	67.67		Hourly	49.40	81.65
EM 03	Annual	88,776	147,756	EM 07	Annual	107,904	179,592
	Monthly	7,398	12,313		Monthly	8,992	14,966
	8 hour	341.44	568.32		8 hour	415.04	690.72
	Hourly	42.68	71.04		Hourly	51.88	86.34
EM 04	Annual	93,216	155,124	EM 08	Annual	113,292	188,604
	Monthly	7,768	12,927		Monthly	9,441	15,717
	8 hour	358.56	596.64		8 hour	435.76	725.44
	Hourly	44.82	74.58		Hourly	54.47	90.68



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Effective Date: 07/01/2023  
Bargaining Unit: 35 Excluded Managerial

		Min	Max	WIRP		Min	Max	WIRP	
EM01	Annual	87,108	139,368		EM05	Annual	105,900	169,416	
	Monthly	7,259	11,614	168		Monthly	8,825	14,118	204
	8 hour	335.04	536.00			8 hour	407.28	651.60	
	Hourly	41.88	67.00			Hourly	50.91	81.45	
EM02	Annual	91,404	146,376		EM06	Annual	111,144	176,628	
	Monthly	7,617	12,198	176		Monthly	9,262	14,719	210
	8 hour	351.52	562.96			8 hour	427.44	679.36	
	Hourly	43.94	70.37			Hourly	53.43	84.92	
EM03	Annual	96,024	153,672		EM07	Annual	116,712	186,780	
	Monthly	8,002	12,806	185		Monthly	9,726	15,565	225
	8 hour	369.36	591.04			8 hour	448.88	718.40	
	Hourly	46.17	73.88			Hourly	56.11	89.80	
EM04	Annual	100,824	161,328		EM08	Annual	122,532	196,152	
	Monthly	8,402	13,444	194		Monthly	10,211	16,346	236
	8 hour	387.76	620.48			8 hour	471.28	754.40	
	Hourly	48.47	77.56			Hourly	58.91	94.30	

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Effective Date: 07/01/2024  
Bargaining Unit: 35 Excluded Managerial

		Min	Max	WIRP		Min	Max	WIRP	
EM01	Annual	90,240	144,372		EM05	Annual	109,704	175,500	
	Monthly	7,520	12,031	174		Monthly	9,142	14,625	211
	8 hour	347.04	555.28			8 hour	421.92	675.04	
	Hourly	43.38	69.41			Hourly	52.74	84.38	
EM02	Annual	94,680	151,632		EM06	Annual	115,140	182,964	
	Monthly	7,890	12,636	183		Monthly	9,595	15,247	217
	8 hour	364.16	583.20			8 hour	442.88	703.68	
	Hourly	45.52	72.90			Hourly	55.36	87.96	
EM03	Annual	99,468	159,192		EM07	Annual	120,900	193,488	
	Monthly	8,289	13,266	191		Monthly	10,075	16,124	233
	8 hour	382.56	612.24			8 hour	465.04	744.16	
	Hourly	47.82	76.53			Hourly	58.13	93.02	
EM04	Annual	104,448	167,124		EM08	Annual	126,936	203,196	
	Monthly	8,704	13,927	201		Monthly	10,578	16,933	244
	8 hour	401.76	642.80			8 hour	488.24	781.52	
	Hourly	50.22	80.35			Hourly	61.03	97.69	

Bargaining Unit 13  
TENTATIVE AGREEMENT  
Employer riw  
Union UP  
Date 6/13/22

ARTICLE 54 – DURATION

The Unit 13 Agreement shall be effective July 1, 2021 and shall remain in full force and effect to and including June 30, ~~[2023]~~**2025**. ~~[During the term of this Agreement, and not less than ninety (90) days before the beginning of the 2022 legislative session, the parties shall meet to continue bargaining in good faith on Article 51 — Salaries or other compensation in lieu of salaries or as a portion of salaries. This section(s) shall be negotiated pursuant to Section 89-10, HRS and Section 89-11, HRS.]~~ **During the term of this Agreement, the parties shall meet on the Employer EUTF contributions for the plan years 2023-2024 and 2024-2025 by giving written notice to the other party of its intent to reopen by January 31, 2023.**

~~[In the event the parties reach agreement on Article 51 — Salaries or other compensation in lieu of salaries or as a portion of salaries, such amendment(s) shall be effective no earlier than July 1, 2022, and shall remain in effect to and including June 30, 2023.]~~ **In the event the parties reach agreement on the Employer’s contribution to EUTF, such amended article shall be effective no earlier than July 1, 2023, and shall remain in effect to and including June 30, 2025.** The entire Unit 13 Agreement shall be renewed thereafter in accordance with statutes unless either party hereto gives written notice to the other party of its desire to modify, amend, or terminate the Unit 13 Agreement.

Notices and proposals shall be in writing and shall be presented to the other party between June 15 and June 30, ~~[2022]~~**2024**. When the notice is given, negotiations for a new Unit 13 Agreement shall commence on a mutually agreeable date following the exchange of written proposals.