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# A BILL FOR AN ACT

RELATING TO EMPLOYEES.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. Section 78-27, Hawaii Revised Statutes, is  
2 amended to read as follows:  
3           "~~§78-27~~ Temporary ~~[inter- and intra-governmental~~  
4 ~~assignments and exchanges.]~~ employee interchanges. (a) With  
5 the approval of the respective employer, a governmental unit of  
6 this State may participate in any program of temporary ~~[inter-~~  
7 ~~or intra-governmental assignments or exchanges of employees]~~  
8 employee interchange as a sending agency or receiving agency.  
9 ~~["Agency" means any local, national, or foreign governmental~~  
10 ~~agency or private agency with government sponsored programs or~~  
11 ~~projects.]~~  
12           (b) As a sending agency, a governmental unit of this State  
13 may consider its employee on a temporary ~~[assignment or~~  
14 ~~exchange]~~ employee interchange as being on detail to a regular  
15 work assignment or on leave of absence without pay from the  
16 employee's position. The employee on temporary ~~[assignment or~~



1 ~~exchange]~~ employee interchange shall be entitled to the same  
2 rights and benefits as any other employee of the sending agency.

3 (c) As a receiving agency, a governmental unit of this  
4 State shall not consider the employee on a temporary [~~assignment~~  
5 ~~or exchange]~~ employee interchange who is detailed from the  
6 sending agency as its employee, except for the purpose of  
7 disability or death resulting from personal injury arising out  
8 of and in the course of the temporary [~~assignment or exchange.~~]  
9 employee interchange. The employee on detail may not receive a  
10 salary from the receiving agency, but the receiving agency may  
11 pay for or reimburse the sending agency for the costs, or any  
12 portion of the costs, of salaries, benefits, and travel and  
13 transportation expenses if it will benefit from the [~~assignment~~  
14 ~~or exchange.~~] temporary employee interchange.

15 (d) An agreement consistent with this section and policies  
16 of the employer shall be made between the [~~sending and receiving~~  
17 ~~agencies]~~ sending agency and receiving agency on matters  
18 relating to the [~~assignment or exchange,~~] temporary employee  
19 interchange, including but not limited to supervision of duties,  
20 costs of salary and benefits, and travel and transportation  
21 expenses; provided that the agreement shall not diminish any



1 rights or benefits to which an employee of a governmental unit  
2 of this State is entitled under this section.

3 (e) As a receiving agency, a governmental unit of this  
4 State may give the employee of the sending agency on a temporary  
5 ~~[assignment or exchange]~~ employee interchange an exempt  
6 appointment and grant the employee rights and benefits as other  
7 exempt appointees of the receiving agency if it will benefit  
8 from the ~~[assignment or exchange.]~~ temporary employee  
9 interchange.

10 (f) The term of a temporary employee interchange between a  
11 sending agency and a receiving agency that is a private sector  
12 organization shall not exceed four continuous months.

13 (g) For purposes of this section:

14 "Receiving agency" means any local, national, or foreign  
15 governmental agency or a private sector organization, including  
16 a nonprofit or for-profit organization, that participates in a  
17 temporary employee interchange and to whom an employee from the  
18 sending agency is detailed.

19 "Sending agency" means any local, national, or foreign  
20 governmental agency that participates in a temporary employee



1 interchange and from whom an employee is detailed to a receiving  
2 agency.

3 "Temporary employee interchange" means the temporary  
4 assignment or exchange of employees between and among  
5 employers."

6 SECTION 2. Statutory material to be repealed is bracketed  
7 and stricken. New statutory material is underscored.

8 SECTION 3. This Act shall take effect on July 1, 3000.



**Report Title:**

Temporary Employee Interchanges; Governmental Agencies; Private Sector Organizations; Sending Agencies; Receiving Agencies; DHRD

**Description:**

Allows state departments to participate in temporary employee interchanges with private sector organizations, including nonprofit and for-profit organizations. Limits the term for a temporary employee interchange with a private sector organization to no more than four continuous months. Effective 7/1/3000. (HD1)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

