

ACT 88

S.B. NO. 2468-86

A Bill for an Act Relating to Libraries.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Chapter 312, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

“§312- Job sharing. (a) A job-sharing program is established within the public library system, subject to the requirements of this section.

(b) The state librarian shall announce the job-sharing program to all full-time employees of the public libraries and shall solicit the voluntary requests of such personnel who may be interested in participating in the job-sharing program.

The state librarian, in consultation with the recognized employee bargaining units, shall formulate and adopt guidelines for the implementation of this section. Employees who respond to the announcement and others who may request information shall receive a full written description of the terms of the program when the guidelines are finalized and those desiring to participate may apply to participate in the program. The employees who apply for participation shall obtain the concurrence of their immediate supervisor, other appropriate personnel officers, and the state librarian. Those who qualify shall then be interviewed by a personnel officer of the public library system.

Upon the selection of a permanent, full-time employee for job-sharing, the state librarian shall convert the position of the employee into two job-sharing positions, one of which shall be filled by the employee, and the other which shall be filled by either another permanent employee or by the hiring of a new hire.

A person hired to fill a job-sharing position shall be recruited according to civil service recruitment procedures and shall possess the minimum requirements of the full-time position which was converted into a job-sharing position under this section.

(c) Job-sharing is the voluntary sharing of a full-time, permanent employee's position with another employee, with each working one-half of the total number of hours of work required and performing one-half of the work required of the respective full-time position, and with each receiving one-half of the salary to which each is respectively entitled and at least one-half of each employee benefit afforded to full-time employees.

The full-time, permanent employee shall not lose membership in an employee bargaining unit because of participation in this program, any law to the contrary notwithstanding. Union membership or service fees paid by job-sharers under this section shall be at a level consistent with usual union membership dues or service fees. The State's contribution to a job-sharer's prepaid health, prepaid dental, and any group life insurance plans shall be the same as for full-time employees, any other provision of the law to the contrary notwithstanding. Job-sharers shall be covered by chapter 386 and the applicable provisions of chapter 383. Nothing in this section shall be construed to vest any person with any rights to permanent employment status, whether under civil service or otherwise, which did not exist prior to the participation of the person in the job-sharing program. No full-time position shall be abolished or reduced to a half-time position except for the purpose of job-sharing. In a reduction-in-force procedure, consideration of a job-sharer's rights shall be on the same basis as that of a full-time employee. Nothing in this section shall impair the employment or employment rights or benefits of any employee.

(d) No job-sharing position committed to a specified period of time under the terms of the contractual agreement shall be converted to full-time status before the termination of the contractual agreement. A job-sharing vacancy created by the resignation, retirement, or other permanent or temporary severance of employment with the public library system on the part of any person may be filled through increasing the remaining half-time job-sharing person to full-time employment by mutual agreement, or recruitment of another person pursuant to this section.

(e) Upon the termination of contractual agreement, all job-sharing positions shall be reconverted to full-time positions, and the employees who held the full-time positions prior to their participation in the job-sharing program under this section shall be entitled to resume their positions without loss of employee rights."

SECTION 2. Act 139, Session Laws of Hawaii 1982, and Act 256, Session Laws of Hawaii 1984, are repealed.

SECTION 3. New statutory material is underscored.¹

SECTION 4. This Act shall take effect upon its approval.

(Approved April 22, 1986.)

Note

1. Edited pursuant to HRS §23G-16.5.