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DEPARTMENT OF HUMAN RESOURCES
DEVELOPMENT
POLICIES AND PROCEDURES**

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GENERAL DEFINITIONS

APPROVED:

Kathleen N. A. Watanabe, Director

I. POLICY

The following definitions shall apply to all policies and procedures in this manual unless otherwise indicated by the context or as specifically provided for in the policies and procedures.

II. RATIONALE

Consistent understanding, usage, and application of personnel related terms are essential for the proper administration of personnel programs.

III. DEFINITIONS

"Administrative review" means a re-evaluation of an eligibility rating or determination, initial pricing, or classification action.

"Allocation" means the assignment/placement of a position in a class, usually used for the first classification action on a new position.

"Alternate work" means work involving a change of the employee's position to which a disabled employee is assigned when the employee can no longer perform the usual and customary duties and responsibilities for his/her pre-injury work.

"Appointing authority" means the department head or designee having the power to make appointments or changes in the status of employees.

"Apprenticeship" means a comprehensive program for training the learner toward a specialized trade or craft under the full responsibility of the employers over a specific period of time on a long term basis, including thorough instruction in the principles and practices of the particular trade or craft as well as in academic and related subjects coupled with a structured on-the-job experience.

"Assembled examination" means an examination for which applicants are required to assemble or be physically present at appointed times and places.

"At will employee" means that employees may be discharged at the prerogative of the employer, subject to all applicable federal and State employment laws.

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“Calendar day” means a period which begins at midnight and ends twenty-four hours later at midnight, unless otherwise specified.

“Certificate of eligibles” means the official document through which eligibles are referred for employment consideration.

“Certification” means the process whereby the names of qualified persons on the eligible lists are referred to the appointing authority.

“Chief executive” means the Governor.

“Civil service and civil service positions” means all positions within a jurisdiction that are not exempted by §§ 46-33, 76-16, or 76-77, HRS, or by other law and must be filled through civil service recruitment procedures based on merit.

“Civil service appointment” means an appointment to a civil service position from an appropriate eligible list.

“Civil service employee” means an employee who has met all requirements for membership in the civil service under §§ 76-1 and/or 76-27, HRS.

“Civil service law” means chapter 76 of the Hawai`i Revised Statutes, as amended.

“Civil service recruitment procedure” means the procedure for the competitive process by which an applicant is deemed qualified for a civil service appointment.

“Civil service system” means the merit system.

“Claims manager” means a person assigned to manage a workers’ compensation claim filed by a State employee.

“Class or class of work” means a group of positions that reflect sufficiently similar duties and responsibilities such that the same title and the same pay range may apply to each position allocated to the class.

“Classification” means the process of establishing an occupational framework and grouping positions on the basis of the kind and level of work and knowledge, skills, competencies and qualifications required.

“Classification system” means classes of positions arranged in a logical and systematic order.

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“Comparable position” means a position in any class of work in the same salary range, same bargaining unit, and same department for which the employee meets the minimum qualification requirements.

“Compensatory time credit” means the number of hours of credit which an employee earns for overtime work, determined on the basis of one and one-half hours for each hour of overtime work.

“Competitive examination” means an examination from which an eligible list is established. The competitive examination may be open to the public or limited to members of the civil service who qualify for admission.

“Continuous recruitment and examination announcement” means an announcement of competitive examination without a closing date for which applications are received and examinations conducted on a continual basis.

“Core time” means the hours, except lunch break, during which all employees of the work unit must be at work, and which shall begin no later than 9:00 a.m. and end no sooner than 3:15 p.m.

“Custodian of records” means the departmental personnel officer (DPO) or the designee of the department head directly responsible for the establishment, maintenance, storage, and disposal of official personnel folders and other employment-related files.

“Day” means calendar day unless otherwise specified.

“Demotion” means a movement of a civil service employee from the position in which the employee last held permanent appointment to another position:

- (1) Which is assigned to a class with a lower pay range in the same salary schedule; or
- (2) Which is assigned to a class with a lower maximum rate of compensation in a different salary schedule and the dollar difference between the two maximum rates is more than the dollar difference between the minimum and second step of the former pay range; provided that, a rate of five per cent more than the minimum rate of the range shall be deemed to be equivalent to the second step in the EM schedule; provided further, that a rate of ninety-five percent of the single rate of a salary schedule with a single rate pay range shall be deemed equivalent to the minimum or first step of the pay range.

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“Department” means any department, board, or agency of a jurisdiction.

“Department directed leave” means paid leave as authorized by the director of human resources development.

“Detail” means the assignment by an appointing authority of other than the duties of an employee’s position, for a temporary duration for the purpose of training and career development or for a temporary inter/intra-governmental assignment or exchange in accordance with chapter 78-27, HRS, and the policies and procedures of HRD.

“Director” means the director of human resources development.

“Discharge” means an action taken by the appointing authority to involuntarily separate an employee from State service which may be for administrative reasons or for misconduct.

“Earned rating” means the rating attained as a result of a competitor’s qualification or performance or both in examination without credit for the points added through veteran’s preference.

“Eligible” means a person whose name is on an eligible list.

“Eligible list” means a list, also referred to as a register, of persons who have qualified for appointment to a specific position or positions in a particular class of work through the civil service recruitment procedures.

“EMCP employee” means an employee appointed to a position assigned to the excluded managerial compensation plan, other than through a non-civil service appointment.

“Employee or public employee” means any person holding a position in the service of a jurisdiction, irrespective of status or type of appointment; provided that, if the context clearly applies only to an employee who is a member of the civil service, “employee” means a civil service employee.

“Employee development” means organized activities designed to promote the growth of employees in order to meet the organization’s future needs.

“Employee training” means organized activities designed to assist employees in gaining effectiveness in the performance of their current duties.

“Employer” or “public employer” means the governor.

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“Employment-related personnel files (EPF)” means a collection of employment documents that are established and maintained for the administration of specific personnel programs, such as leave sharing, or are separately maintained because of the confidential nature of the information, such as personal health information.

“Environmental restriction” means a restriction stated by a physician that precludes an employee from returning to his/her original worksite. Such restriction, which is non-physical in nature, includes, but is not limited to, the inability to work in a particular department or facility with co-workers, supervisors, and other factors.

“Essential function” means those core duties that are the reason that position exists.

“Examination” means any test or accepted personnel assessment technique used to measure the fitness and ability of applicants for employment which may include, but are not limited to: written tests, oral tests, interviews, essays, tests of physical fitness or ability, medical examinations, performance tests, training and experience evaluations, background and suitability determinations, the probation period, in-basket assessment, biodata assessments personality measures, and assessment centers.

“Exempt employee” means a person who is appointed to and who occupies a position exempted pursuant to § 76-16, HRS.

“Exclusive representative” means the employee organization certified by the Hawai'i Labor Relations Board under § 89-8, HRS, as the collective bargaining agent to represent all employees in an appropriate bargaining unit without discrimination and without regard to employee organization membership.

“Flexible bands” means the hours preceding and following the core time during which employees may be afforded a choice over their starting and departure times, which shall not exceed 6:30 a.m. – 9:00 a.m., and 3:15 p.m. – 5:45 p.m.

“Flexible lunch break” means an expanded lunch break beyond the usual 45 minutes, as permitted by management, provided the employee makes up the time and works a total of eight hours in a day, and further provided that such option is exercised only after the employee's supervisor has approved such request in advance of the flexible lunch break, and further provided such flexible lunch break shall not be considered to be on a split shift.

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“Flexible working hours” means the privilege granted to an employee to arrive at or depart from work at times other than those set by “office hours,” of which staggered hours and glide-time are a part.

“Glide-time” means a flexible work hours program under which an employee is allowed to start work at any time that falls within the flexible bands of times set by management, of which the start time may change daily within the glide-time and the employee completes his/her normal work hours before departing for the work day.

“Health information” means any information, whether oral or recorded in any form or medium, that is created or received by the employer and relates to the past, present, or future physical or mental health condition of an employee; the provision of health care to the employee; or the past, present, or future payment for the provision of health care to an employee, and may individually identify the employee.

“Informational personnel file” means a separate file of all or a portion of the official personnel folder and/or employment-related files that are maintained by a manager or supervisor.

“Information technology resources” means all hardware, software, documentation, programs, information, data, and other devices that are owned by the State. These resources include those that enable remote and local communication or access between various platforms and environments such as the mainframe, minicomputers, servers, local area networks (LANs), wide area networks (WANs), and personal computers.

“Initial pricing” means the determination of the appropriate pay range and pay relationships for a new class based on appropriate factors.

“Initial probation period” is the probation period required of a person entering the state civil service that is the final test of the person’s fitness and ability for the position before acquiring membership in the civil service or the probation period required of a temporary member of the civil service who is moving to a permanent civil service position.

“In-service training” means training provided by an agency or organization for its employees in order to increase their effectiveness in their present assignments or to prepare for future assignments using resources and facilities within the agency and/or within the jurisdiction of the State government. The term “staff development” is also used.

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“Inter-departmental promotional examination announcement” also known as an inter-departmental recruitment, means a recruiting notice conducted by HRD announcing the receipt of applications for participation in an examination for positions which is limited to employees in the executive branch who are members of the civil service.

“Inter-jurisdictional” means between the state executive branch and the judicial branch of the State, or the legislative branch of the State, or any county government, or incorporated State organization that is not part of the executive branch.

“Internship” means a position or assignment that gives an employee planned work experience as part of a training program which emphasizes the application of theories, principles, and techniques to real world situations.

“Intra-departmental promotional examination announcement” also known as an intra-departmental recruitment, means a recruitment notice conducted by HRD announcing the receipt of applications for participation in an examination for positions which are limited to employees of a particular state agency in the executive branch who are members of civil service.

“Jurisdiction” means the State, the city and county of Honolulu, the county of Hawai`i, the county of Maui, the county of Kauai, the Judiciary, the department of education, the University of Hawai`i, and the Hawai`i Health Systems Corporation.

“Leave of absence” means a temporary absence, paid or unpaid, from duty granted upon the employee’s request.

“Legislative body” means the legislature.

“Light duty” means temporary work that is different from the employee’s usual and customary duties and responsibilities in any department of the executive branch, where the employee’s work is planned/assigned to adhere to the physical and/or psychological restrictions set by the employee’s or employer’s physician, and where the employee remains appointed to his/her current assignment throughout the entire light duty assignment.

“Manager” means an individual who supervises other supervisors and who usually has responsibilities for a program.

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“Membership in civil service” means the status and rights enjoyed by an employee who successfully completes an initial probation period and demonstrates continued fitness and ability by meeting all performance requirements of the employee’s position.

“Merit principle” means the selection of persons based on their fitness and ability for public employment and the retention of employees based on their demonstrated appropriate conduct and productive performance.

“Merit appeals board” means the appellate body for purposes of § 76-14, HRS.

“Minimum qualification” means the minimum experience, education, licensing, and other special requirements essential for performance in a class of work or a position.

“Modified work” means changes in non-essential or marginal usual and customary duties and/or responsibilities of the employee’s current work.

“New probation period” means a probation period required of a member of the civil service when moving to another permanent position.

“Non-civil service appointment” means an appointment to a civil service position made without the use of an eligible list.

“Office hours” means the hours during which a government office is open to transact public business, in most cases between 7:45 a.m. to 4:30 p.m., Monday through Friday, unless otherwise provided by executive order.

“Official personnel folder (OPF)” means the official repository of records and reports of personnel actions effected during an employee’s service with the State executive branch.

“Open-competitive examination announcement” also known as an open-competitive recruitment, means a recruitment notice conducted by HRD announcing the receipt of applications from the general public for participation in an examination for positions in a particular class.

“Open-competitive list” means a list of persons who have been found qualified by an open-competitive examination for appointment in a particular class.

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“Out-service training” means training provided by an agency for its employees in order to increase their effectiveness in their present assignments or to prepare for future assignments using resources and facilities outside of the jurisdiction of the State government.

“Pay range” means the group of salary rates from minimum to maximum authorized for a pay grade in a salary schedule.

“Permanent appointment” means an appointment without a limitation date to a permanent position that allows the employee to become a member of the civil service.

“Permanent position” means a position without time limitation and which is included in a department’s position ceiling as authorized in the general appropriation act, administrative directives or by specific language in other legislative acts.

“Performance appraisal system” means the appraisal system used to formally evaluate non-managerial employees occupying civil service positions.

“Physical requirements” means the minimum physical capabilities necessary for proper job performance.

“Position” means a specific job, whether occupied or vacant, consisting of all the duties and responsibilities assigned or delegated by competent authority, requiring the full or part-time employment of one person.

“Position description” means an official written statement of the major duties and responsibilities assigned to the position by the appointing authority, the organizational relationships, the knowledge, skills and abilities required of the position and other pertinent information.

“Pricing” means determining the appropriate pay range and pay relationships for a class based on appropriate factors.

“Priority placement” means a job placement process for those employees who are unable to permanently return to their usual and customary work because of a work related injury or illness and where such placement shall occur without the requirement of a probation period.

“Probationary appointment” means an appointment period which is a test of the employee’s qualifications for the position. Upon successful completion, the employee earns civil service status in the position for which the probationary appointment was completed.

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“Program” means any division, branch, staff office, or attached agency of a department.

“Promotion” means a movement of a civil service employee from the position in which the employee last held a permanent appointment to another position:

- (1) Which is assigned to a class with a higher pay range in the same salary schedule; or
- (2) Which is assigned to a class with a higher maximum rate of compensation in a different salary schedule and the dollar difference between the two maximum rates is more than the dollar difference between the minimum and second step of the former pay range; provided that, a rate of five per cent more than the minimum rate of the range shall be deemed to be equivalent to the second step in the EM schedule; provided further, that a rate of ninety-five per cent of the single rate of a salary schedule with a single rate pay range shall be deemed equivalent to the minimum or first step of the pay range.

“Rating” means the score or measure of performance of an applicant in an examination.

“Reallocation” means the movement of a position from one class to another class based on a change in the duties, level of difficulty, authority, responsibilities, qualification requirements and other factors.

“Reallocation downward” means the reallocation of a position to a class assigned to a lower pay range in the same salary schedule.

“Reallocation upward” means the reallocation of a position to a class assigned to a higher pay range in the same salary schedule.

“Reasonable accommodation” means any modification or adjustment to a job, the job application process, or the work environment that will enable a qualified job applicant or employee with a disability to perform the essential functions of the job, participate in the application process, or enjoy the benefits and privileges of employment.

“Reclassification” means a change in the class to which a position is allocated based on a change in the classification system.

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“Records officer” means the designated person acting in the capacity of the custodian of records at a program that has been delegated authority to maintain the official personnel folder and employment-related personnel files of its employees.

“Recruitment” means the process of locating applicants for employment.

“Regular work” means the usual and customary duties and responsibilities of the employee prior to a workers’ compensation injury.

“Related class” means a class which requires substantially similar knowledge, skills and abilities as another class.

“Related series” means a series of classes which requires substantially similar knowledge, skills and abilities as another series.

“Repricing” means changing an existing class from its present pay range to another pay range in the same salary schedule based on appropriate factors.

“Resignation” means an action taken by an employee who severs his/her employment relationship with the State.

“Salary schedule” means a table of pay rates and ranges.

“Select priority list” means a list composed of former employees of the executive branch who were released under the conditions covered by § 386-142, HRS.

“Selective certification” means the process by which certification is limited to those persons possessing knowledge, skills, abilities and other characteristics deemed critical to the successful performance of the work of a specific position.

“Series of classes” means classes similar as to subject matter of work, but differing in level of difficulty, responsibility, and qualifications required.

“Staggered hours” means a flexible hours program under which employees arrive at and depart from work during flexible bands of fixed-time intervals (15 minutes) set by management.

“State records center (SRC)” means the department of accounting and general services (DAGS), archives division, records management branch that is responsible for the retention and storage of separated employees’ official personnel folders.

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“Students” means persons who are enrolled or who have been accepted for enrollment on a full-time basis as resident students (as distinguished from a correspondence school student) of a secondary school or educational institution of higher learning.

“Suitability” means fitness for employment after consideration of such factors as physical and mental ability, character, criminal history record, and employment record.

“Supervisor” means an individual who is responsible for the work assignments and work results of one or more assigned employees and who participates in personnel actions affecting his/her assigned employees.

“Temporary assignment” means the assignment by a competent authority and the assumption, without a formal change in position, of all or a major portion of the significant duties and responsibilities of another position.

“Training plan” means a comprehensive structure outlining the training needs of an organizational unit, the methods by which those needs will be met within a specific time frame and the funding and other resources required.

“Transfer” means a movement of a civil service employee from the position in which the employee last held a permanent appointment to another position which is assigned to a class:

- (1) With the same maximum rate of compensation; or
- (2) In a different salary schedule:
 - (A) With a higher maximum rate of compensation, and the dollar difference between the two maximum rates is less than or equal to the dollar difference between the minimum and second step of the former pay range; or
 - (B) With a lower maximum rate of compensation, and the dollar difference between the two maximum rates is less than or equal to the dollar difference between the minimum and second step of the former pay range;

provided that, a rate of five per cent more than the minimum rate of the range shall be deemed equivalent to the second step in the EM schedule; provided further, that a rate of ninety-five per cent of the single rate of a salary schedule with a single rate pay range shall be deemed equivalent to the minimum or first step of the pay range.

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“Unassembled examination” means an examination in which applicants are not assembled or required to be physically present for a test.

“Unusually hazardous working conditions” means conditions that exceed the normal expectations of an occupational specialty.

“Users” mean all State employees in the executive branch who are authorized to use or access the State’s information technology resources.

“Work day” means the period of eight hours during which a full-time employee is scheduled to perform the duties of his/her position, exclusive of a meal break.

“Work injury” means a personal injury suffered under the conditions specified in § 386-3, HRS.

IV. AUTHORITIES AND REFERENCES

§ 76-11, Hawai‘i Revised Statutes, *Definitions*

§ 386-1, Hawai‘i Revised Statutes, *Definitions*

§ 386-3, Hawai‘i Revised Statutes, *Injuries covered*

§ 14-1-15, Hawai‘i Administrative Rules, *Definitions*