

MAUI COUNTY POLICE DEPARTMENT

GENERAL ORDERS
CHAPTER 202
PERSONNEL

Effective date: 10/01/19

Revision date: 09/16/19

Rescinds: GO 202.3 (11/30/94)

New materials underscored

Accreditation Standards: 22.3.1

COLLECTIVE BARGAINING
G.O. 202.3

I. PURPOSE

To follow established collective bargaining principles and to participate in negotiations based on the principles of “good faith” bargaining.

II. POLICY

To describe the Department’s role in collective bargaining.

III. DEFINITIONS

EMPLOYER: The Mayor of the County of Maui

EXCLUSIVE REPRESENTATIVE: The employee organization, which, as a result of certification by the Hawaii Labor Relations Board, has the right to be the collective bargaining agent of all employees in an appropriate bargaining unit without discrimination and without regard to employee organization membership.

IV. GENERAL PROVISION

A. The role of the Department in the collective bargaining process is outlined as follows:

1. Assist the Department of Personnel Services principal negotiator with information on police operations so a rational decision can be realized affecting wages and working conditions. In no case will reprisals be sought against any employee who may be lawfully engaged in the collective bargaining process.
2. The Department recognizes the right of employees to organize for the purpose of collective bargaining. The role of employees of the Department, who are also members of a bargaining unit, shall not carry out collective bargaining tasks on duty, except when made as an assigned duty or as specifically outlined in a collective bargaining agreement.

B. The Department shall furnish necessary information to facilitate settlements to labor

disputes. Cooperation with employees who are labor negotiators is essential, and it shall be the policy of the Department to keep those lines of cooperation and communication open.

- C. The Chief of Police and his representatives shall participate in negotiations in accordance with the Collective bargaining in Public Employment Act, Hawaii Revised Statutes, Chapter 89.
- D. All collective bargaining agreements shall be in written form and signed by all parties.
- E. Agreements resulting from collective bargaining shall be disseminated to all affected personnel.

V. PROCEDURES

A. Collective Bargaining Team

1. Employer

- (a) At the discretion of the Chief of Police, a collective bargaining team representing the Department may be assembled for the purpose of engaging in negotiations. The Department's principal negotiator shall be appointed by the Chief of Police. The membership may also be made up of one or more non-bargaining unit Department employees and/or other personnel within the county government.
- (b) The Department's collective bargaining team is part of the Department of Personnel Services collective bargaining team.
- (c) The principal negotiator for the county of Maui is a person assigned from the Department of Personnel Services.

2. Exclusive representative

- (a) The Chief of Police and Maui County Government recognizes the State of Hawaii Organization of Police Officers, Unit 12, as the sole representative bargaining unit for public employees in the police officers unit, both supervisory and non-supervisory, except for officers and employees who are excluded or may be excluded from the bargaining unit by law and/or the Hawaii Labor Relations Board.
- (b) The Chief of Police and Maui County Government also recognize the Hawaii Government Employees Association, Units 3, 4, 13 and United Public Workers Unit 1, as the exclusive representative for civilian employees as outline within the collective bargaining agreement.

B. Impasse Resolving Procedure

In the event of an impasse, resolution procedures to be used will be in accordance with §89-11 HRS Collective Bargaining in Public Employment Act.

C. Collective Bargaining Procedures

The procedures for collective bargaining shall be done in accordance with §89-9 HRS Scope of Negotiations.


D. Reviewing Directives

The Department shall proceed to review and amend those directives necessary to ensure compliance with collective bargaining agreements.

E. Informing Management Personnel

The Chief of Police shall inform all supervisory and management personnel of the terms of agreements effecting personnel under the supervision. Methods used to achieve this objective include the following, individually or in combination: distribution of agreements, training and staff meetings.

F. It shall be the philosophy of supervisory and management personnel to assure that the terms of agreements are met in spirit as well as through technical compliance.


TIVOLI S. FAUMU
Chief of Police