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Regents Policy Chapter 9, Personnel

Regents Policy RP 9.212, Executive and Managerial Personnel Policies

Effective Date: July 1, 2016

Prior Dates Amended: July 1, 1982; Oct. 21, 1988; Sept. 11, 1998; Oct. 22, 1999;  
Oct. 19, 2001; Oct. 18, 2002; Oct. 17, 2003; Oct. 19, 2006; Sept. 27, 2007; Jan. 10,  
2008; Apr. 16, 2009; August 1, 2014 (recodified)

Review Date: August 2019

**I. Purpose and Authority**

This Regents Policy RP 9.212 ("Policy") provides a framework for the terms and conditions of service applicable to individuals appointed by the Board of Regents ("Board") to executive and managerial ("EM") positions at the University of Hawai'i, ("University"), which are excluded from a bargaining unit as specified in Section 89-6(f)(2), Hawai'i Revised Statutes ("HRS"), due to top-level executive, managerial, and administrative responsibilities. All employment actions taken pursuant to this Policy shall be in accordance with RP 1.205, Policy on Nondiscrimination and Affirmative Action.

This Policy is established pursuant to the authority granted to the Board by Article X, Section 6 of the Constitution of the State of Hawai'i, and by HRS Section 304A-1001 (as amended from time to time).

This Policy supersedes all prior policies and practices that may conflict with any provision contained herein.

**II. Definitions**

The term "EM" shall mean executive and managerial positions at the University.

**III. Board Policy**

**A. Establishment and Classification**

1. There shall be an EM class of positions established based on the needs of the University and in a manner consistent with the University's organizational structure. Generally speaking, executive and managerial positions (1) have system-wide, campus-wide, or major campus program responsibilities and report directly to the Board, President, or Chancellor, (2) report directly to executives and head major organizational segments of the University, or (3) serve as high level executive assistants. The



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Board retains authority to establish, classify, and abolish positions reporting to the Board and to the President. The President retains authority, which shall not be further delegated, to establish, classify, and abolish all other positions.

2. Positions shall be classified according to the complexity, breadth, and depth of responsibility and the critical importance of the position to the operation of the University. Each position shall be analyzed and described in writing to ensure equity within the University organization while considering comparable university systems nationwide.

#### B. Salary Schedule

1. The University aspires to provide compensation for its EM personnel that is competitive with pay levels of individuals who have similar responsibilities, demonstrated competence, and breadth of demonstrated experience. The President shall establish a salary schedule for all EM positions ("Salary Schedule"), which sets forth minimum, mean, and maximum salary ranges based on relevant competitive markets, including higher education and local markets, as well as on the level of responsibility of the position, equity in relation to comparable University positions, and value of the hire in fulfilling the strategic mission of the University.
2. Annually, the President shall provide the Board a copy of the current Salary Schedule and a listing of all EM positions that indicates the placement within the Salary Schedule. For vacant positions, the listing should show the date the vacancy occurred and intentions regarding the filling or reassignment of the position. For filled positions, the listing should show the date of appointment to the position, current salary, and the reason for any change to compensation that occurred since the prior report.

#### C. Recruitment

1. Recruitment for any vacant position shall require prior written approval of the President.
2. The University of Hawai'i seeks to attract the best-qualified candidates who support the mission of the University and who respect and promote excellence through diversity. In support of this goal, EM vacancies shall be advertised in locations which are considered appropriate sources for recruitment.



3. Waiver of recruitment for positions reporting directly to the President shall require approval of the Board. The President may waive recruitment for all other EM positions.

#### D. Appointment and Initial Salary

1. To attract and retain competent and experienced personnel, it is the aspiration of the University to offer compensation that is competitive with the market from which the personnel are recruited, including higher education and local markets. For comparison purposes, total compensation shall include salary and benefits.
2. Appointments should be at the minimum of the range unless a higher salary is justified based on:
  - the candidate's knowledge, skills, and experience;
  - the candidate's current salary; and
  - budget and fiscal conditions of the unit.
3. There shall be an Appointing Authority for every EM position ("Appointing Authority"). The Board shall be the Appointing Authority for all EM positions reporting directly to the Board. The President shall be the Appointing Authority for all other EM positions at the University, however, positions reporting directly to the President shall be subject to Board approval. Except for positions reporting directly to the President, the President shall have the authority to further delegate Appointing Authority for all other EM positions. See Illustration 1 below.
4. There shall be an Approving Authority that is at least one level above the Appointing Authority in the organization ("Approving Authority"). The President shall serve as the Approving Authority for all appointments above the mean and up to and including the maximum of the range within the Salary Schedule. Except for positions reporting directly to the Board and the President, the President shall have the authority to further delegate Approving Authority for all other EM positions up to and including the mean of the range within the Salary Schedule.

All appointments for EM positions that report to a position that reports directly to the Board and/or for all EM appointments exceeding the maximum of the range set forth in the Salary Schedule shall require approval of the Board. See Illustration 1 below





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President and the Appointing Authority, including specific metrics aligned to the University's strategic goals. The review shall also include identification of specific goals to be accomplished in the coming year.

**F. Salary Adjustments**

1. To ensure that EM salaries are competitive, salary adjustments may be granted based on merit, subject to the availability of Board-authorized funds for salary adjustments.
2. The Board shall establish guidelines and approve salary adjustments for positions reporting directly to the Board. The President shall establish guidelines and approve salary adjustments for all other positions, an authority which shall not be further delegated. The President shall report to the Board on guidelines used for salary adjustments for positions under the President's delegated authority.

**G. Term and Termination**

1. Subject to the terms of this Policy, EM positions are at-will and serve at the pleasure of the Board. The Appointing Authority for an EM position, as set forth in Section III.D of this Policy, has the authority to terminate the EM's employment with the University. Termination of EM personnel from employment, either with or without cause, is not appealable.
2. EM personnel without return rights to another position may be terminated from employment, without cause, at any time by being provided three (3) months prior written notice during the first two (2) years of employment and six (6) months prior written notice after the first two (2) years of employment.
3. EM personnel with return rights to another position may be terminated from their EM position, without cause, at any time by being provided thirty (30) days written notice. The salary at the time of return shall be that which the individual would have received had he/she not accepted the EM appointment; provided, however, the President may approve adjustments to the return-salary as deemed equitable and appropriate.



4. EM personnel may be terminated from employment for cause, effective immediately, with no obligation of prior notice on the part of the Board or University. In termination for cause, the employment relationship with the Board or University shall cease immediately with no further employment rights or obligations, and such decision shall be considered final.

#### H. Professional Improvement Leave

1. EM personnel may be granted leave with pay for professional improvement consistent with development in their profession and the needs of the University. Professional improvement leave is a privilege for the purpose of advancing the University by (1) enhancing the performance of the employee and thereby, enriching the University's programs or (2) enabling EM employees to prepare to assume or resume faculty or professional duties after significant administrative service to the University. The leave shall be used to enhance or gain professional expertise and engage in professional activities to serve the University in support of the University's mission and goals.
2. Professional improvement leave may be granted after six (6) years of full-time continuous service, including creditable service in other Board classifications, for periods of up to six (6) months at full pay or twelve (12) months at half pay with total months earned at the rate of one (1) month for each year of service. Leaves of shorter duration and intermittent leaves may also be granted. However, the total duration of the intermittent leave taken with pay should not exceed the total leave provided for under this Policy. The President may grant exceptions to the minimum creditable service requirement when deemed in the best interests of the University.
3. The leave approved under this provision shall be taken at the salary applicable to the position the individual will occupy upon return from the professional improvement leave. For example, if the individual will return to an EM position, the leave may be taken at the current EM salary, however, if the individual will return to a faculty position, the leave shall be taken at the appropriate faculty salary for the faculty position.
4. An individual granted a leave with pay for professional improvement shall agree to return to service at the University. The return service obligation shall be equivalent to the duration of the leave. Upon the



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return of the individual from professional leave, the individual shall submit a written report to the appropriate supervisor on the activities during the leave.

I. Other Conditions of Service

1. EM personnel shall be granted all rights and benefits accorded other University employees as provided by statute, rule, or Board policy, except as may be specifically modified by this Policy or other policies of the Board. These rights and benefits shall be subject to adjustments and modifications as provided by HRS Chapter 89C, which provides for comparability with bargaining unit members. Any additional benefits shall require prior approval of the Board.

IV. **Delegation of Authority**

Specified in Sections III.B and III.D above

V. **Contact Information**

Office of Human Resources, 956-8988

VI. **References**

- A. <http://www.hawaii.edu/offices/bor/>
- B. [http://www.capitol.hawaii.gov/hrscurrent/Vol02\\_Ch0046-115/HRS0089/HRS\\_0089-0006.htm](http://www.capitol.hawaii.gov/hrscurrent/Vol02_Ch0046-115/HRS0089/HRS_0089-0006.htm)
- C. [http://www.capitol.hawaii.gov/hrscurrent/Vol02\\_Ch0046-0115/HRS0089C-.htm](http://www.capitol.hawaii.gov/hrscurrent/Vol02_Ch0046-0115/HRS0089C-.htm)
- D. [http://www.capitol.hawaii.gov/hrscurrent/Vol01\\_Ch0001-0042F/Const/CONST\\_0010-0006.htm](http://www.capitol.hawaii.gov/hrscurrent/Vol01_Ch0001-0042F/Const/CONST_0010-0006.htm)
- E. [http://www.capitol.hawaii.gov/hrscurrent/Vol05\\_Ch0261-0319/HRS0304A/HRS\\_0304A-1001.htm](http://www.capitol.hawaii.gov/hrscurrent/Vol05_Ch0261-0319/HRS0304A/HRS_0304A-1001.htm)



**VII. Exhibits and Appendices**

No Exhibits or Appendices Found

**VIII. Approved**

/S/  
Cynthia Quinn  
Executive Administrator and  
Secretary of the Board of Regents

06/02/2016  
Date