

 <b>HAWAII HEALTH SYSTEMS CORPORATION</b> <i>Quality Healthcare for All</i>	<b>Department:</b>  <b>Human Resources</b>	<b>Policy No.</b>  <b>HR 0019A</b>
		<b>Supersedes Policy No.</b>
<b>POLICY</b>	<b>Approved By:</b> <i>Donna McCleary</i>  HHSC Board of Directors By: Donna McCleary, M.D. Its: Secretary/Treasurer	<b>Approved Date:</b> January 27, 2022
<b>Subject:</b>  <b>Negotiation of Memorandums of Understanding, Supplemental Agreements and Settlement or Tentative Agreements on Subjects of Collective Bargaining</b>		<b>Last Reviewed:</b> September 30, 2021

**I. PURPOSE:**

To maintain consistency and benefit to HHSC as a system, and to ensure compliance with applicable laws, in the exercise of authority to negotiate Memorandums of Understanding, Supplemental Agreements and Settlement or Tentative Agreements on items subject to collective bargaining. This policy applies to all HHSC facilities, HHSC staff, regional and corporate boards.

**II. DEFINITIONS:**

“Agreements” means collectively, the MOU, SA, STL A, and TA or individually “Agreement.”

“Employer Jurisdiction” means the State, the city and county of Honolulu, the county of Hawaii, the county of Maui, the county of Kauai, the judiciary, and the Hawaii Health Systems Corporation.

“Memorandum of Understanding” or “MOU” means an agreement between an individual Employer Jurisdiction and a union covering one or more employees/positions to effectuate an exception to a provision of the master collective bargaining agreement or an agreement between one or more Employer Jurisdictions and a union used to assist the parties in interpreting or clarifying a specific provision in the master collective bargaining agreement.

“Settlement Agreement” or “STL A” means a contractual agreement between HHSC and another party by which each party agrees to a resolution of a grievance, complaint or dispute.

“Supplemental Agreements” or “SA” means an agreement in addition to a master collective bargaining agreement that an individual Employer Jurisdiction may independently negotiate with the union that binds the Employer Jurisdiction and union.

“Tentative Agreement” or “TA” means an agreement among the Employer Jurisdictions and the union during collective bargaining negotiations and that need to be ratified by the union members that the union represents.

**III. POLICY:**

Neither the HHSC Corporate office or the Regions shall enter into agreements that: (1) detrimentally impact any other region or HHSC as a system; (2) are inconsistent with existing HHSC corporate-wide policies; or (3) do not conform with existing law, including, but not limited to chapters 76, 89, 323F, Hawaii Revised Statutes (“HRS”). All Memorandums of Understanding, Supplemental Agreements and Settlement or Tentative Agreements shall be reviewed by the corporate Human Resources office prior to execution.

**IV. AUTHORITY:**

- HRS Chapter 76, Civil Service, Hawaii Revised Statutes (“HRS”)
- HRS Chapter 89, Collective Bargaining, HRS
- HRS Chapter 323F, Hawaii Health Systems Corporation, HRS.

**V. RELATED PROCEDURE(S):**

HR 0019B

**VI. REFERENCE(S):**

None