

Hilo, Hawaii  
Tuesday, October 15, 2002

The regular meeting of the Civil Service Commission, County of Hawaii, was held in the conference room of the Department of Civil Service, 101 Aupuni Street, Suite 133, Hilo, Hawaii, on Tuesday, October 15, 2002.

**Present:**

Ms. Jeanne Yagi, Chair Pro Tem  
Ms. Diana Kahler, Member  
Mr. Clarence Souza, Member  
Mr. Craig Masuda, Deputy Corporation Counsel  
Mr. Michael R. Ben, Director of Personnel  
Ms. Velma Y. Menezes, Secretary-Reporter

**Excused:**

Mr. G. Rick Robinson, Chair  
Mr. Bill Thibadeau, Vice Chair

Ms. Yagi called the meeting to order at 9:30 a.m.

**MINUTES OF SEPTEMBER 17, 2002**

**MOTION:** Mr. Souza moved that the minutes of September 17, 2002 be approved as circulated. The motion was seconded by Ms. Kahler and unanimously carried.

**COMMUNICATIONS**

A) Communication No. 02-18, copy of a letter dated October 2, 2002, to Mr. Wade P. Amador, from Dudley G. Akama,

**Deputy Corporation Counsel, regarding Civil Service Hearing – October 15, 2002.**

**Ms. Menezes explained that subsequent to the above communication, Mr. Akama submitted a letter requesting a continuance of today’s hearing because he had found out he had to be in a series of Board of Ethics hearings in Kona. As required by Commission rules, he sent a certified copy of the request to the Appellant. Because of the timeframe, however, the Corporation Counsel’s office also contacted the Appellant by telephone to explain the situation. The Appellant agreed to a continuance. Consequently, Ms. Menezes called Chair Robinson to notify him of what had transpired, and Chair Robinson granted the continuance.**

**The Commission recessed at 9:34 a.m. to have Ms. Menezes retrieve Mr. Akama’s letter requesting the continuance. The meeting reconvened at 9:39 a.m.**

**Mr. Souza requested that documentation from Mr. Akama be provided for the record indicating what had transpired.**

**MOTION: Ms. Kahler moved that Communication 02-18 be received and filed. The motion was seconded by Mr. Souza and unanimously carried.**

**B) Communication No. 02-19, from Lincoln S. T. Ashida, Corporation Counsel, regarding attorney and secretarial assignments, direct telephone numbers.**

**MOTION: Mr. Souza moved that Communication No. 02-19 be received and filed. The motion was seconded by Ms. Kahler and unanimously carried.**

### **DIRECTOR’S REPORT**

**Mr. Ben reported the following:**

1) The opening brief filed with the Third Circuit Court in the Lawrence Mahuna appeal is available for the Commission's review. The answering brief is due on November 12, with Mahuna's reply brief due November 25; and the date of oral argument is December 12.

2) The department is preparing its budget for next fiscal year. To no surprise, the instruction is that the budget remains status quo.

3) The Employee of the Year awards will be held on November 1 at 10:30 a.m. in the Council Room. Mr. Ben has nominated Jane Larkin as manager of the year. She is the only nominee in that category.

4) Mr. Ben is initiating a quarterly meeting of Unit 2 supervisors to discuss issues with the supervisors and to directly address questions they may have. The first meeting has been scheduled for December, which the Mayor will attend, as he supports the concept. Mr. Ben hopes to possibly extend this to the other levels of supervision in the County. The department already has quarterly meetings with the personnel representatives from each department and has further defined it by having quarterly meetings with what is now called the "Big 6," which are the departments that have a personnel specialist.

5) Mr. Ben has sent letters to UPW and HGEA requesting negotiations on what to do with employees who admit to using drugs. The letters are to initiate discussions, as the County has already had several such instances. The problem occurs when the County recommends a rehabilitation program for the employee, but the employee doesn't follow through with it and wants to return to work. That puts the County in a bind. There are drug testing programs in place for Fire and Police, which includes provisions when an employee voluntarily admits to using drugs, but the County doesn't have it for nonsafety-sensitive UPW and HGEA employees, so Mr. Ben is pursuing that now.

**NEXT MEETING DATE**

**The Commission scheduled its next meeting for November 19, 2002 at 9:30 a.m., followed by Wade Amador's appeal hearing at 10:30 a.m.**

**ADJOURNMENT**

**The meeting adjourned at 9:52 a.m.**

**Submitted by,**

**Secretary, Civil Service Commission**

**APPROVED:**

**G. Rick Robinson  
Chair**

**vym**