

CIVIL SERVICE COMMISSION
COUNTY OF MAUI
200 South High Street
Wailuku, Hawaii 96793

PUBLIC NOTICE OF MEETING

COMMISSIONERS:

Arnold K. Wunder
(Pukalani)
Chair

Blake T. Takayama
(Makawao)
Vice-Chair

Jon Santos
(Haiku)

Alice L. Lee
(Wailuku)

Yarrow L. Flower
(Makawao)

Pursuant to Chapter 92, Hawaii Revised Statutes,
as amended by Act 271, Session Laws of Hawaii 1984

NOTICE IS HEREBY GIVEN by the Civil Service Commission of
the County of Maui, State of Hawaii, of its regular meeting and
executive meeting scheduled for:

DATE: Wednesday, January 9, 2013

TIME: 9:00 a.m.

PLACE: Department of Personnel Services
Conference Room 629
Kalana O Maui (County Building)
200 South High Street
Wailuku, Hawaii 96793

AGENDA ITEMS ARE SUBJECT TO CANCELLATION. For a confirmation of the meeting date and time,
please contact commission staff at the Department of Personnel Services.

ORAL OR WRITTEN TESTIMONY on any agenda item will be accepted prior to the discussion of each
agenda item. If written testimony is submitted at the meeting, eight copies are requested.

INDIVIDUALS PLANNING TO ATTEND THE MEETING who have special needs or require an
accommodation that would assist in their successful participation in the meeting, *i.e.*, large print, taped materials, sign
language interpreter, accessible parking, etc. should call the Department of Personnel Services at least two working
days in advance.

DOCUMENTS ON FILE WITH THE COMMISSION, which may include correspondence relating to the
agenda items below, may be inspected prior to the meeting date. Photocopies may be ordered, subject to charges
imposed by law (Maui County Code, Section 2.64.010). Contact the Department of Personnel Services to make
arrangements for inspection or photocopying of documents.

Agenda - Regular Meeting

1. CALL TO ORDER
2. ROLL CALL
3. PUBLIC TESTIMONY
4. APPROVAL OF MINUTES – MAY 2, 2012 MEETING

5. COMMISSION REFERRAL:

- A. Memorandum dated December 18, 2012 from the Department of Finance, Division of Accounts, to all departments concerning new mileage rate and reimbursement form effective January 1, 2013.

6. OLD BUSINESS:

- A. Update on Salary Commission issues.
 - (1) Salary Commission met on December 14, 2012.
- B. Annual refresher training on the County of Maui's Policy Against Discrimination.
 - (1) Post-training questions from the Commission.
- C. Charter Commission's Proposal No. 9 of 11 proposed amendments to the Charter of the County of Maui.
 - (1) Discuss commission's responsibility to implement Proposal No. 9 approved by the voters at the November 6, 2012 general election, i.e., Should Chapters 7 (Department of Fire and Public Safety), 9 (Department of Personnel Services), 12 (Department of Police), and 13 (Department of Liquor Control) of Article 8 of the charter be amended to provide consistency in the process in which the various commissions of the listed departments that appoint its directors or chiefs handle the evaluation and removal of its directors or chiefs?
 - (a) Letters (3) dated December 7, 2012 sent to the Fire and Public Safety Commission, Police Commission and Liquor Control Commission requesting copies of their performance evaluation process.
 - 1. Response letter dated December 14, 2012 received from the Fire & Public Safety Commission.
 - (b) Similar request dated December 7, 2012 also sent to the Managing Director.
 - 1. Response letter dated December 20, 2012 received from the Managing Director.

With reference to this agenda item, one or more executive meetings pursuant to Section 92-5, Hawaii Revised Statutes, may be held to consider the evaluation of an officer where consideration of matters affecting privacy will be involved and/or to consult with legal counsel on questions and issues pertaining to the powers, duties, privileges, immunities, and liabilities of the Civil Service Commission.

7. NEW BUSINESS:
8. DIRECTOR'S MONTHLY REPORT:
 - A. Update on collective bargaining.
 - B. Updated vacancy report.
 - C. Office News.
 - D. Update re Budget Preparation re Fiscal Year July 1, 2013 - June 30, 2014.
 - (1) Distribute copies of DPS' request submitted to the administration.
9. SCHEDULE NEXT MEETING DATE & DISCUSS NEXT MEETING BUSINESS
10. ADJOURN REGULAR MEETING AND MOVE INTO EXECUTIVE MEETING, CLOSED TO THE PUBLIC, FOR THE PURPOSES OF: (1) EXERCISING THE ADJUDICATORY FUNCTION OF THE COMMISSION and (2) CONSULTING WITH THE COMMISSION'S ATTORNEY ON QUESTIONS AND ISSUES PERTAINING TO THE COMMISSION'S POWERS, DUTIES, PRIVILEGES, IMMUNITIES AND LIABILITIES PURSUANT TO SECTION 11-102-6, RULES OF THE CIVIL SERVICE COMMISSION, AND SECTIONS 91-9, 92-4, 92-5(a)(4) & (6) and 92-6(a)(2)(D), HAWAII REVISED STATUTES ("HRS").

Agenda - Executive Meeting

1. APPROVAL OF MINUTES – MAY 2, 2012 MEETING
2. ADJUDICATORY FUNCTION:
 - A. New Appeal:
 - (1) CSC-AP #2012-9, Appeal concerning non-selection for promotion to Automotive Repair Supervisor I.
 - (a) Letter dated December 26, 2012 acknowledging receipt of appeal.
 - (b) Letter dated December 26, 2012 transmitting copy of appeal to the Director of Public Works.
 - (c) Schedule hearing date.
 - B. HRS Chapter 91 Contested Case Hearing:
 - (1) CSC-AP #2012-7, Appeal concerning non-selection of Fire Captain positions; reclassification of Fire Fighter III position with arbitrary worksite placement; pricing of FF III position does not include travel and mileage compensation; and harassment, retaliation, due process violations

of the County of Maui's Workplace Violence Action Plan not covered under CBA Union 1463 provisions.

- (a) Letter dated October 22, 2012 acknowledging receipt of appeal.
 - (b) Letter dated October 22, 2012 transmitting copy of appeal to Fire Chief.
 - (c) Letter dated October 22, 2012 transmitting copy of appeal to Managing Director.
 - (d) Letters (3) dated November 7, 2012 scheduling appeal hearing for December 5, 2012.
 - (e) Respondents' Motion to Dismiss Appeal, Memorandum in Support of Motion, Exhibits "A" - "D", Certificate of Service.
 - (f) Letters (2) dated November 21, 2012 deferring December 5th hearing and scheduling hearing on Motion to Dismiss Appeal for January 9, 2013.
 - (i) Appellant's response to motion due December 20, 2012.
 - (ii) Respondents' reply to Appellant's response due January 3, 2013.
 - (g) Appellant's response to motion received December 19, 2012.
 - (h) Respondents' letter dated December 27, 2012 to Appellant requesting copy of response to motion be provided immediately.
- (2) CSC-AP #2012-8, Appeal concerning rescission of conditional offer of employment for position of Police Officer I.
- (a) Letter dated November 16, 2012 acknowledging receipt of appeal.
 - (b) Letter dated November 16, 2012 transmitting copy of appeal to Chief of Police.
 - (c) Letters (2) dated December 5, 2012 scheduling appeal hearing for January 9, 2013.
 - (i) Position statements and exhibits due January 2, 2013.
 - (d) Appellant's letter of withdrawal dated December 24, 2012.
 - (e) Letter dated December 28, 2012 acknowledging receipt of withdrawal letter.

3. ADJOURNMENT

* * * * *

I HEREBY CERTIFY that this notice was filed in the Office of the County Clerk of the County of Maui at least six calendar days prior to the time and date of the forthcoming meeting; and FURTHER CERTIFY that the notice was filed in the office of the Department of Personnel Services of the County of Maui which is the office of the Civil Service Commission of the County of Maui, and posted on the bulletin boards of the Department of Personnel Services on the sixth floor of the County Building (Kalana O Maui) at 11:35 A.M. on this 3rd day of January, 2013, which is at least six calendar days prior to the date and time of the forthcoming meeting.

Any inquiries, contact commission staff at the office of the Department of Personnel Services, County of Maui, 200 South High Street, Room 623, Wailuku, Hawaii, during office hours from 7:45 a.m. to 4:30 p.m., Monday through Friday, except on holidays, by phone: 270-7850, fax: 270-7969 or e-mail: personnel.services@co.maui.hi.us. Molokai residents may call toll-free at 1-800-272-0117; Lanai residents: call 1-800-272-0125.

ARNOLD K. WUNDER, Chair,
Civil Service Commission

By /s/ Lance T. Hiromoto
Lance T. Hiromoto
Director of Personnel Services

Received and filed in the Office of the County
Clerk of the County of Maui at 11:35 A.M.
on this 3rd day of January, 2013.

/s/ Theresa A. Valdez
For: COUNTY CLERK, COUNTY OF MAUI