

Resolution

No. 25-150

AUTHORIZING SETTLEMENT, UNDER CHAPTER 3.16, MAUI COUNTY CODE, OF BARGAINING UNIT 11 EMPLOYEES FROM THE DEPARTMENT OF FIRE AND PUBLIC SAFETY FOR TEMPORARY HAZARD PAY DUE TO THE COVID-19 PANDEMIC

WHEREAS, the Hawaii Fire Fighters Association, Local 1464, IAFF, AFL-CIO, (“HFFA”) is the exclusive representative for public employees included in Bargaining Unit 11 (“BU-11”), employed by the County of Maui under Section 1 of the BU-11 Agreement, and Chapter 89, Hawaii Revised Statutes; and

WHEREAS, on or about April 1, 2024, the HFFA, on behalf of its BU-11 members, sent a letter to the County requesting initiation of joint discussions and potential resolution without the constraints and necessity of submission of class grievances, to address the temporary hazard pay (“THP”) issue for BU-11 members due to the COVID-19 pandemic; and

WHEREAS, HFFA’s request was followed by meetings and ongoing communication with the County; and

WHEREAS, the parties desire a full and final settlement of any and all matters, claims, and causes of action arising out of, or related to, the request for THP for BU-11 members due to the COVID-19 pandemic; and

WHEREAS, the County of Maui, to avoid incurring expenses and the uncertainty of a judicial determination of the parties' respective rights and liabilities, will attempt to reach a resolution of this matter by way of a negotiated settlement agreement; and

WHEREAS, Ordinance 5816, the fiscal year 2026 budget, appropriated up to \$7,400,000 to pay the negotiated amount of THP for eligible HFFA members for performing essential work during the COVID-19 pandemic; and

WHEREAS, having reviewed the facts and circumstances regarding this matter and being advised of attempts to reach resolution of this matter

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by way of a negotiated settlement between the County and HFFA, the Council wishes to authorize the settlement; now, therefore,

BE IT RESOLVED by the Council of the County of Maui:


1. That it approves authorizing settlement, under Chapter 3.16, Maui County Code, of BU-11 employees from the department of fire and public safety for temporary hazard pay due to the COVID-19 pandemic;
2. That it authorizes the Mayor to execute a Release and Settlement Agreement on behalf of the County in this matter, under the terms and conditions as may be imposed by the Corporation Counsel consistent with the Council's settlement approval;
3. That it authorizes the Director of Finance of the County of Maui to satisfy settlement of this matter, under the terms and conditions as may be imposed by the Corporation Counsel consistent with the Council's settlement approval; and
4. That certified copies of this Resolution be transmitted to the Mayor; Director of Finance; Director of Personnel Services; Fire Chief; Corporation Counsel; and Robert H. Lee, President. Hawaii Fire Fighters Association, Local 1463, IAFF, AFL-CIO.

APPROVED AS TO FORM AND LEGALITY



VICTORIA J. TAKAYESU
Corporation Counsel
Department of the Corporation Counsel
County of Maui
Reso Authorizing Settlement
LF2025-0800

INTRODUCED BY:



Upon the request of the Mayor.