

EXECUTIVE ORDER NO. 09-03

WHEREAS, on June 24, 2009, a three-day-a-month furlough, announced on June 1, 2009 and memorialized in Executive Order No. 09-02, was imposed on certain State Executive Branch employees specified in Executive Order No. 09-02; and

WHEREAS, on July 2, 2009, in HGEA v. Lingle, Civil No. 09-1-1372-06 KKS, Circuit Court of the First Circuit, State of Hawaii and UPW and HSTA v. Lingle, et al., Civil No. 09-1372-06 KKS, Judge Karl K. Sakamoto temporarily enjoined the State from unilaterally implementing the three-day-a-month furlough plan on unionized executive branch employees within the control of the governor and who are covered by Chapter 89, Hawaii Revised Statutes, without collective bargaining as required by Art. XIII, sec. 2 of the Constitution of the State of Hawaii; and

WHEREAS, there is a need to clarify the status of Executive Order No. 09-02 as to those other executive branch employees within the governor's control who are not affected by Judge Sakamoto's ruling;

NOW, THEREFORE, I Linda Lingle, Governor of Hawaii, pursuant to my executive authority under Articles V and VII of the Constitution of the State of Hawaii, the provisions of Chapters 37 and 89C, Hawaii Revised Statutes, and all other applicable authority, do hereby suspend further furlough implementation as to those nonunionized executive branch employees covered by Executive Order No. 09-02 and


who are not within the purview of Judge Sakamoto's ruling. This suspension shall continue in effect until a further Executive Order is issued.

DONE at the State Capitol, Honolulu,
State of Hawaii, this 13th day of
July, 2009.


LINDA LINGLE
Governor of Hawaii



APPROVED AS TO FORM:


MARK J. BENNETT
Attorney General