
A BILL FOR AN ACT

RELATING TO GOVERNMENT EMPLOYEES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The purpose of this Act is to allow state and
2 county governments to rehire retired employees as permanent
3 workers in critical-to-fill or labor shortage positions, without
4 affecting the rehired retirants' retirement benefits.

5 SECTION 2. Chapter 88, Hawaii Revised Statutes, is amended
6 by adding a new section to be appropriately designated and to
7 read as follows:

8 "§88- Reemployment of state and county retirants. (a)
9 Appointing authorities in the state and county governments may
10 employ a retired state or county government employee who is
11 receiving retirement benefits under this chapter for critical-
12 to-fill or labor-shortage positions. A retirant subject to this
13 section shall be recruited and selected for civil service
14 positions according to civil service laws. The director of
15 human resources development, for employees hired by the state
16 executive branch, the director of human resources of the
17 judiciary, for employees hired by the judiciary, or the
18 respective chief human resources management executive for the



1 respective counties, for employees hired by a county, shall
2 certify that the retirant was hired in accordance with
3 applicable civil service laws. Nothing in this section shall
4 prohibit an appointing authority from employing a retirant for
5 an exempt position or a position exempt from the civil service
6 laws. To qualify for full-time employment, the retirant shall
7 be retired from a state or county government position for at
8 least one calendar year prior to reemployment.

9 (b) Notwithstanding sections 88-21, 88-42.5, 88-43, 88-45,
10 88-46, 88-98, 88-273, 88-325, 88-326, and 88-344, or any other
11 law to the contrary, a retired state or county government
12 employee who is rehired by the state or a county government
13 under this section:

14 (1) Shall not earn retirement service credit, contribute
15 to the system, or gain additional system benefits as a
16 result of the retirant's subsequent employment with
17 the State or a county; and

18 (2) Shall continue to receive the employee's regular
19 retirement benefits without penalty.

20 (c) This section shall not preclude a retirant from
21 returning to work and relinquishing the employee's retirement
22 benefits to earn additional service credit and gain additional



1 retirement benefits for a future retirement as may be allowed by
2 this chapter.

3 (d) Each jurisdiction shall make employer contributions on
4 the rehired employee's compensation to the employees' retirement
5 system's pension accumulation fund in accordance with section
6 88-122(e).

7 (e) For the purposes of this section:

8 "Retired state or county employee" means any former
9 employee of the state or any of its branches, including the
10 judiciary, or of a respective county who is classified by the
11 system as a retirant.

12 "State or county government" means the state or any of its
13 branches, including the judiciary, or any of the respective
14 counties."

15 SECTION 3. New statutory material is underscored.

16 SECTION 4. This Act shall take effect on July 1, 2059;
17 provided that this Act shall be repealed five years from its
18 effective date.



Report Title:

Retirement Benefits; Reemployment of Government Retirants

Description:

Permits the state and county governments to rehire retirants as permanent employees without affecting the retirants' retirement benefits. (HB1818 HD2)

