
A BILL FOR AN ACT

RELATING TO HIRING.

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

1 SECTION 1. The legislature finds that the State is facing
2 unprecedented vacancies in state positions. According to the
3 department of human resources development, the state vacancy
4 rate is twenty-three per cent, as reported by departments on
5 November 1, 2022. One contributing factor to the number of
6 state job vacancies is the length of time between when a person
7 applies for a state job to when that person receives a response.
8 The department of human resources development may take up to
9 three to six months to send a list of applicants to a department
10 to schedule an interview. By this time, many qualified
11 applicants have either found a different job or forgotten
12 entirely about continuing the application process for a state
13 job.

14 The legislature further finds that the large amount of
15 vacancies in the state workforce is exacerbating the state
16 worker shortage, leaving fewer workers to carry the workload,
17 leading to burnout and further worker flight. To support the



1 currently employed state workforce, departments must be
2 adequately staffed with dedicated workers.

3 The legislature recognizes that departments have requested
4 the ability to review their own applicants as soon as a job
5 posting closes or on a rolling basis. While this may not be
6 practical for all job postings, the ability for departments to
7 select their own highest-need positions and review those job
8 applications directly deserves consideration. A department also
9 has the expertise to determine whether an applicant meets
10 minimum qualifications for a job within that department. This
11 internal department review will not only speed up the review
12 process for key positions but will also relieve the workload of
13 the department of human resources development, allowing it to
14 review the remaining applications for other job openings faster.

15 The purpose of this Act is to:

- 16 (1) Allow a state department, division, or agency, rather
17 than the department of human resources development, to
18 conduct a minimum qualification review of applicants
19 for vacant positions within the department, division,
20 or agency; and



1 (2) Require the department of human resources development
2 to provide state departments, divisions, and agencies
3 the applications received for vacancies under certain
4 circumstances.

5 SECTION 2. Chapter 76, Hawaii Revised Statutes, is amended
6 by adding a new section to be appropriately designated and to
7 read as follows:

8 "§76- Recruitment; minimum qualification review; state
9 departments, divisions, and agencies. (a) Notwithstanding any
10 other law to the contrary, a state department, division, or
11 agency, rather than the department of human resources
12 development, may conduct a minimum qualification review of
13 applicants for vacant positions within that department,
14 division, or agency.

15 (b) A state department, division, or agency that elects to
16 conduct its own minimum qualification review of applicants for a
17 vacancy pursuant to subsection (a) shall notify the department
18 of human resources development, which shall provide to the
19 department, division, or agency:



- 1 (1) For positions with a recruitment closing date, the
2 applications received for the vacancy received by the
3 closing date for that vacancy; or
- 4 (2) For continuous recruitment positions, the applications
5 received for the vacancy that have been received by a
6 certain date, as determined by the state department,
7 division, or agency; provided that the department of
8 human resources development shall continue to transmit
9 applications for that position on a reasonable rolling
10 basis until the particular vacancy is filled;
11 provided further that the department of human resources
12 development shall submit the applications received for a vacancy
13 immediately to a state department, division, or agency if
14 requested by the applicable state department, division, or
15 agency.
- 16 (c) In conducting the minimum qualification review of an
17 applicant, a state department, division, or agency may consider
18 any alternative qualifications and substitutions that may be
19 used in place of the minimum qualifications. If a state
20 department, division, or agency considers any other alternative
21 qualifications or substitutions, that department, division, or



1 agency shall send justification for using the alternative
2 qualification or substitution to the department of human
3 resources development.

4 (d) Upon completing the minimum qualification review of
5 applicants for a vacancy, the state department, division, or
6 agency shall submit to the department of human resources
7 development the applications for individuals who have met the
8 minimum qualifications for the vacancy; provided that the state
9 department, division, or agency may immediately begin
10 interviewing applicants that have been determined to meet the
11 minimum qualifications for the vacant position. The department
12 of human resources development shall complete any other tasks
13 necessary to facilitate the hiring of the applicants, including
14 auditing and correcting any errors found in the minimum
15 qualification review, as applicable; provided further that if
16 any errors are found, the department of human resources
17 development shall have five working days to correct the error
18 and notify the state department, division, or agency."

19 SECTION 3. New statutory material is underscored.

20 SECTION 4. This Act shall take effect upon its approval.



Report Title:

DHRD; State Departments; Civil Service; Minimum Qualification Review

Description:

Authorizes a state department, division, or agency, rather than the Department of Human Resources Development, to conduct a minimum qualification review of applicants for vacant positions within the department, division, or agency. Requires the Department of Human Resources Development to provide state departments, divisions, and agencies the applications received for vacancies under certain circumstances. (SD2)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

