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# A BILL FOR AN ACT

RELATING TO STATE EMPLOYMENT.

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

1           SECTION 1. The legislature finds that the State's  
2 seasonally adjusted unemployment rate was 2.2 per cent as of  
3 November 2025, according to data from the department of  
4 business, economic development, and tourism. Due to this  
5 historically low unemployment rate, many state agencies have  
6 continued to struggle to fill vacant civil service positions  
7 despite efforts to promote the State as an employer of choice,  
8 increased marketing and outreach to potential job candidates,  
9 and the State's flexible compensation programs.

10           The legislature further finds that the State must remove  
11 unnecessary barriers that inhibit the provision of critical  
12 government services by facilitating additional pathways to  
13 employment, while also increasing accountability by ensuring  
14 that departments and agencies continue to recruit to fill vacant  
15 positions.

16           Therefore, the purpose of this Act is to:



- 1 (1) Repeal language limiting the temporary employment of a  
2 person in a single position to two terms of  
3 eighty-nine days;
- 4 (2) Require each department and agency to submit an annual  
5 report to the legislature that includes certain  
6 information about the department or agency's  
7 employment of eighty-nine-day hires; and
- 8 (3) Automatically abolish positions that have been vacant  
9 for more than forty-eight months.

10 SECTION 2. Section 76-28.5, Hawaii Revised Statutes, is  
11 amended by amending subsection (a) to read as follows:

12 "(a) [~~No~~] A department or agency of the State [~~shall~~] may  
13 temporarily employ [~~the same~~] a person in [~~the same~~] a vacant  
14 position that is wholly funded by general funds for [~~more than~~  
15 ~~two~~] multiple terms of eighty-nine days; provided that with the  
16 approval of the governor, a department or agency of the State  
17 may temporarily employ the same person in the same position [~~for~~  
18 ~~eight terms of eighty nine days within a consecutive twenty-~~  
19 ~~four month period.~~]; provided further that no later than twenty-  
20 days prior the convening of each regular session, each  
21 department or agency shall submit a report to the legislature



- 1 that includes information on the department or agency's  
2 employment of eighty-nine-day hires by position, including:
- 3 (1) Position number;
  - 4 (2) Job title;
  - 5 (3) Division, branch, section, unit, and island;
  - 6 (4) Salary range;
  - 7 (5) Bargaining unit;
  - 8 (6) Date the position was last occupied by a regular civil  
9 service appointee;
  - 10 (7) Number of eighty-nine-day appointments made by the  
11 department or agency for the position during the  
12 preceding twenty-four-month period;
  - 13 (8) Whether the position has been filled by eighty-nine-  
14 day appointments for more than two terms;
  - 15 (9) Agency's recruitment efforts to permanently fill the  
16 position; and
  - 17 (10) Department or agency's justification for retaining  
18 that position, including why the position should not  
19 be abolished and why funding for the position should  
20 be retained.



1        A position that has been vacant for more than forty-eight  
2 months, regardless of whether the position was filled by a  
3 temporary hire pursuant to this section for any portion of the  
4 forty-eight months, shall be automatically abolished unless the  
5 legislature affirmatively retains and funds the position."

6        SECTION 3. Statutory material to be repealed is bracketed  
7 and stricken. New statutory material is underscored.

8        SECTION 4. This Act shall take effect January 1, 2077.

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**Report Title:**

State Employment; Temporary Employment; Eighty-Nine-Day Hires; Limits; Abolishment; Annual Reports

**Description:**

Repeals language that limits the temporary employment of a person in a single position for 2 terms of 89 days. Requires each department and agency to submit an annual report to the Legislature that includes certain information about the department or agency's employment of 89-day hires. Automatically abolishes positions that have been vacant for more than 48 months. Effective 1/1/2077. (SD1)

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

