

JOSH GREEN, M.D.
GOVERNOR

SYLVIA LUKE
LIEUTENANT GOVERNOR



JADE T. BUTAY
DIRECTOR

WILLIAM G. KUNSTMAN
DEPUTY DIRECTOR

STATE OF HAWAII
KA MOKU'ĀINA O HAWAII
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS
KA 'OIHANA PONO LIMAHANA

February 9, 2026

To: The Honorable Brandon J. C. Elefante, Chair,
The Honorable Rachele Lamosao, Vice Chair, and
Members of the Senate Committee on Labor and Technology

The Honorable Angus L.K. McKelvey, Chair,
The Honorable Mike Gabbard, Vice Chair and
Members of the Senate Committee on Government Operations

Date: Monday, February 9, 2026

Time: 3:00 p.m.

Place: Conference Room 225, State Capitol

From: Jade T. Butay, Director
Department of Labor and Industrial Relations (DLIR)

Re: S.B. 3180 RELATING TO STATE EMPLOYMENT

I. OVERVIEW OF PROPOSED LEGISLATION

The **DLIR offers comments** on this measure, which amends the temporary employment provisions in HRS Chapter 76, Hawai'i's Civil Service Law. The department supports removing the restrictive 89-day appointment but not the additional, onerous reporting requirement. However, DLIR has serious concerns regarding the 48-month auto abolishment provision. The enactment of that provision could lead to an inadvertent reduction in the department's flexibility to respond to critical situations, particularly for those programs with positions funded by federal programs.

SB3180 proposes to:

- Repeal language that limits temporary employment in a single position to two 89-day terms, or up to eight terms with the Governor's approval,
- Require the department to submit an annual report detailing its use of 89-day hires, and
- Automatically abolish positions that have been vacant for more than 48 months.

II. CURRENT LAW

§76-28.5 currently limits temporary employment in civil service positions wholly

funded by general funds to two 89-day terms or up to eight 89-day terms with the Governor's approval. It also provides a limited number of exceptions to this restriction.

III. COMMENTS ON THE SENATE BILL

DLIR has serious concerns about the potential impact of this measure. With the support of successive Administrations and Legislatures, DLIR has maintained federally funded vacancies to ensure the department can respond quickly when additional capacity is required. These vacancies allow DLIR to deploy staff rapidly when federal funding and programs become available, avoiding delays associated with creating and filling new positions. For example:

- During the COVID-19 pandemic, this "capacity in waiting" enabled DLIR to significantly expand operations without undergoing lengthy approval and hiring processes,
- The U.S. Department of Labor routinely relies on the public workforce system to deliver supplemental resources during economic downturns,
- During the Great Recession, DLIR utilized \$3,630,777 in ARRA supplemental funding for workforce services, including \$2,918,025 for a Summer Youth Work Experience Program and \$601,873 for a National Emergency Grant to expand On-the-Job Training, and
- DLIR also facilitated temporary disaster recovery jobs in response to the Maui Wildfires.

DLIR likely could not have delivered these programs quickly and efficiently without the flexibility provided by maintaining federally funded vacancies. In addition, while long-term vacancies may appear unnecessary, automatic abolishment raises several concerns:

- Some positions remain vacant due to recruitment challenges, including circumstances beyond the department's control, not due to the lack of need, and
- Specialized or hard-to-fill roles often require extended search periods.

Thank you for the opportunity to provide testimony on this vital matter.

JOSH B. GREEN, M.D.
GOVERNOR
KE KIA'ĀINA



BONNIE KAHAKUI
ADMINISTRATOR

DAYNA OMIYA
ASSISTANT ADMINISTRATOR

STATE OF HAWAI'I | KA MOKU'ĀINA O HAWAI'I
STATE PROCUREMENT OFFICE

P.O. Box 119
Honolulu, Hawaii 96810-0119
Tel: (808) 586-0554
email: state_procurement_office@hawaii.gov
<http://spo.hawaii.gov>

TESTIMONY
OF
BONNIE KAHAKUI, ADMINISTRATOR
STATE PROCUREMENT OFFICE

TO THE SENATE COMMITTEES
ON
LABOR AND TECHNOLOGY
AND
GOVERNMENT OPERATIONS
February 9, 2026, 3:00 pm

SENATE BILL 3180
RELATING TO STATE EMPLOYMENT

Chair Elefante, Chair McKelvey, Vice Chair Lamosao, Vice Chair Gabbard, and members of the committees, thank you for the opportunity to submit testimony on Senate Bill 3180. The State Procurement Office (SPO) appreciates the intent of this bill to facilitate additional employment pathways while ensuring accountability and maintaining standards.

Comments

The SPO respectfully provides the following comments.

1. Support for 89-Day Hire Flexibility via Recruitment Reporting

SPO supports the repeal of the two-term limit for 89-day hires. In the current labor market, these appointments are a vital bridge to maintain essential operations. To prevent potential abuse of the 89-day hire process, the SPO recommends requiring agencies to submit a recruitment report for any position filled with a temporary hire beyond two terms. This provides the Legislature with a tool for transparency rather than a permanent substitution, confirming that the agency is actively pursuing a permanent civil service "fit" while utilizing the temporary hire as a necessary stopgap.

2. Fiscal Transparency and Specialized Recruitment Realities

SPO recognizes and supports the intent of this measure to ensure transparency for taxpayer funds and to verify that resources are not being directed toward extended or long-term vacant

positions without justification. However, the mandate to automatically abolish positions after 48 months is at odds with the recruitment realities identified in Section 1 of the bill, specifically Hawaii's seasonally adjusted unemployment rate of 2.2% (as of November 2025). This automatic abolishment punishes departments put in a difficult situation when genuine efforts to fill are being made.

For an office like the SPO, the challenge is not necessarily a lack of effort, but rather very few candidates fit the ideal aptitude necessary for the role:

- **The Procurement Specialty:** Public procurement and contracting is a technical discipline. The SPO may be one of the few, if not the only, state offices that utilize the "Purchasing Specialist" classification series, which accounts for over 50% of our total office positions. These roles require a deep understanding of statutory compliance and risk management – skills rarely focused on in traditional school curricula, which often prioritize general business practices, such as supply chain management.
- **The "Right Fit" and Career Drive:** While SPO recognizes and can utilize the ability to reallocate positions down to lower tiers to widen the applicant pool, a persistent challenge remains in finding individuals with the specific "right fit" and the professional drive to pursue a career as a purchasing specialist. Consequently, while candidate lists may include individuals who meet general minimum requirements, it remains a significant challenge to find and retain applicants with the specific interest and experience necessary to manage state contracts and protect taxpayer interests.
- **Operational Risk:** Because the Purchasing Specialist class is our core workforce, an automatic 48-month abolishment policy creates an existential risk to our agency's mission. It permanently removes the State's capacity to manage its procurement and contracting needs responsibly based on external market scarcity.
- **Recommendation:** Replace automatic abolishment with **a mandatory review that includes recruitment efforts for the position.** This allows the Legislature to ensure fiscal accountability and transparency without penalizing agencies for making a genuine effort in filling the vacancies.

Conclusion

The SPO remains committed to filling vacancies with the right talent. We urge the Committee to shift from an automatic abolishment with a model emphasizing recruitment accountability.

Thank you for the opportunity to submit testimony on this measure.



STATE OF HAWAII
DEPARTMENT OF EDUCATION
KA 'OIHANA HO'ONA'AUAO
P.O. BOX 2360
HONOLULU, HAWAII 96804

Date: 02/09/2026

Time: 03:00 PM

Location: CR 225 & Videoconference

Committee: LBT/GVO

Department: Education

Person Testifying: Keith T. Hayashi, Superintendent of Education

Title of Bill: SB3180, RELATING TO STATE EMPLOYMENT.

Purpose of Bill: 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.

Department's Position:

The Hawaii State Department of Education (Department) provides comments on SB 3180.

The Department supports the provision to repeal language that limits eighty-nine (89)-day appointments to two terms. This modification would provide valuable flexibility by allowing the Department to recruit for and fill positions.

However, we have concerns regarding the provision to abolish positions vacant for more than 48 months. While we recognize the intent to make sure agencies recruit and fill positions expeditiously, there are certain circumstances which can extend vacancy timelines, including pending reorganizations, classification actions, or budget-related considerations. Also, the Department has positions in remote geographic locations that at times present unique recruitment challenges.

We welcome the opportunity to collaborate with the Legislature to address these operational considerations.

Thank you for the opportunity to provide testimony on SB 3180.



JOSH GREEN, M. D.
GOVERNOR
KE KIA'ĀINA

SYLVIA LUKE
LT. GOVERNOR
KA HOPE KIA'ĀINA

BRENN A H. HASHIMOTO
DIRECTOR
KA LUNA HO'OKELE

BRIAN K. FURUTO
DEPUTY DIRECTOR
KA HOPE LUNA HO'OKELE

STATE OF HAWAII | KA MOKU'ĀINA O HAWAII
DEPARTMENT OF HUMAN RESOURCES DEVELOPMENT
KA 'OIHANA HO'OMŌHALA LIMAHANA
235 S. BERETANIA STREET
HONOLULU, HAWAII 96813-2437

Statement of
BRENN A H. HASHIMOTO
Director, Department of Human Resources Development

Before the
SENATE COMMITTEE ON LABOR AND TECHNOLOGY
SENATE COMMITTEE ON GOVERNMENT OPERATIONS

Monday, February 9, 2026

3:00PM

State Capitol, Conference Room 225

In consideration of
SB3180, RELATING TO STATE EMPLOYMENT

Chair Elefante, Chair McKelvey, and members of the Committee on Labor and Technology and Committee on Government Operations:

The Department of Human Resources Development (HRD) **supports** SB3180.

The purpose of SB3180 is to:

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

Under the current statute, Executive Branch directors may appoint individuals to two consecutive eighty-nine-day terms. To extend beyond two terms, directors must seek approval from the Governor—a responsibility delegated to the HRD Director. Additional appointments may be approved by HRD if certain conditions are met.

This measure removes those limitations and conditions and requires departments to justify the continued use of the eighty-nine-day hire process through an annual report to the Legislature. HRD supports delegating this function to departments, as it promotes accountability and transparency.

We understand the impact that long-term vacancies have on departmental operations

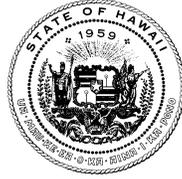
and budgets. To this end, HRD identifies long-standing vacancies in its annual vacancy report (as required under Act 57, SLH 2019). SB3180 strengthens this effort by automatically abolishing positions vacant for more than forty-eight months, while allowing departments to justify retaining such positions before the Legislature.

This policy change will encourage departments and hiring managers to develop a hiring plan, rather than maintain vacancies. We believe this measure can help to improve workforce management across departments.

Thank you for the opportunity to provide testimony on SB3180. We are available to answer any questions or provide additional information as needed.

JOSH B. GREEN, M.D.
GOVERNOR

SYLVIA LUKE
LIEUTENANT GOVERNOR



STACEY A. ALDRICH
STATE LIBRARIAN
Ke Po'o Hale Waihona Puke Moku'āina

STATE OF HAWAII
HAWAII STATE PUBLIC LIBRARY SYSTEM
'OIHANA HALE WAIHONA PUKE AUPUNI O KA MOKU'ĀINA O HAWAII'
OFFICE OF THE STATE LIBRARIAN
44 MERCHANT STREET
HONOLULU, HAWAII 96813
(808) 586-3704

**Senate Committee on Labor and Technology
and
Senate Committee on Government Operations
February 11, 2026, 3:00 p.m.
State Capitol, Room 225**

SB 3180 – Relating to State Employment

To: Sen. Brandon J.C. Elefante, Chair
Sen Rachele Lamosao, Vice Chair
Members of the Senate Committee on Labor and Technology

Sen. Angus L.K. McKelvey, Chair
Sen. Mike Gabbard, Vice Chair
Members of the Senate Committee on Government Operations

The Hawai'i State Public Library System (HSPLS) **opposes** SB3180 which 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; and automatically abolishes positions that have been vacant for more than 48 months.

The HSPLS shares the following comments regarding SB3180 as written:

- The imposition of the 2-term limit of 89-days per individual was enacted at a time when there were more eligible employees than positions. The opposite is occurring now. Eliminating the limitation on individuals provides departments with flexibility to at least find temporary help for critical needs.
- Abolishing positions that have been vacant for more than 48 months will greatly impact HSPLS. HSPLS has 567 positions and one classifier, who reviews all position descriptions and redesigns. Until the State's personnel system is simplified, imposition of

artificial deadlines only negatively impacts the department's ability to meet its service to the communities of the State of Hawaii.

- HSPLS recruitment is currently managing approximately 60 recruitments simultaneously, making it difficult for some positions to meet the 48-month deadline. HSPLS does not have enough of our own personnel staffing nor the authority or expertise to handle some issues related to hiring that is currently delegated to Department of Human Resources Development (DHRD), such as bargaining unit exclusion, EMCP, and certain selective certification requirements which require DHRD and/or union concurrence.
- Once a vacancy goes into recruitment, several weeks if not months, are spent waiting to receive a list of eligible candidates from DHRD. Frequently, we go through entire lists of candidates without success in hiring and must begin again, waiting weeks or months for the next list of eligible candidates. For some hard to fill positions, there are even longer waits for lists; DHRD screeners have not identified or approved any qualified candidates.
- During the pandemic, for three fiscal years or 36 months, HSPLS did not have funding for 64 positions almost doubling our normal vacancy rate. Lack of funding does not eliminate the need for the position. Instead, it requires us to prioritize one communities' needs over another. Imposing a 48-month restriction only makes it more difficult, as we still are trying to hire with reduced funding due to budget restrictions and working with an archaic personnel system.

In this difficult labor market, rather than focusing on adding restrictions, HSPLS respectfully requests changes that would help expedite the hiring process instead of imposing additional restrictions.

Thank you for the opportunity to testify on SB3180 and for your continued support of the Hawai'i State Public Library System.



UNITED PUBLIC WORKERS

AFSCME Local 646, AFL-CIO

THE SENATE
KA 'AHA KENEKOA

THE THIRTY-THIRD LEGISLATURE
REGULAR SESSION OF 2026

COMMITTEE ON LABOR AND TECHNOLOGY

Senator Brandon J.C. Elefante, Chair
Senator Rachele Lamosao, Vice Chair

COMMITTEE ON GOVERNMENT OPERATIONS

Senator Angus L.K. McKelvey, Chair
Senator Mike Gabbard, Vice Chair

Monday, February 9, 2026, 3:00 PM
Conference Room 225 & Videoconference

Re: Testimony on SB3180 – RELATING TO STATE EMPLOYMENT

Chairs Elefante and McKelvey, Vice Chairs Lamosao and Gabbard, and Members of the Committee:

The United Public Workers, AFSCME Local 646, AFL-CIO (“UPW”) is the exclusive bargaining representative for approximately 12,000 public employees, which includes blue collar, non-supervisory employees in Bargaining Unit 1 and institutional, health, and correctional employees in Bargaining Unit 10, in the State of Hawaii and various counties.

UPW provides **comments** on SB3180, which repeals language that limits the temporary employment of a person in a single position for 2 terms of 89 days and 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. This bill also automatically abolishes positions that have been vacant for more than 48 months.

We are slightly concerned about the long-term impact the proposed automatic abolishment of positions that have been vacant for more than 48 months will have on existing public employees and government operations. UPW shares the Legislature’s frustration with departments and agencies that continue to struggle with filling their vacant positions. However, we believe the abolishment of positions will ultimately punish hard-working public servants who continue to perform their duties despite significant staffing shortages.

Mahalo for the opportunity to testify in support of this measure.

HEADQUARTERS

1426 North School Street
Honolulu, Hawaii 96817-1914
Phone 808.847.2631

HAWAII

362 East Lanikaula Street
Hilo, Hawaii 96720-4336
Phone 808.961.3424

KAUAI

2970 Kele Street, Suite 213
Lihue, Hawaii 96766-1803
Phone 808.245.2412

MAUI

841 Kolu Street
Wailuku, Hawaii 96793-1436
Phone 808.244.0815

1.866.454.4166

Toll Free - Molokai/Lanai only



HAWAII GOVERNMENT EMPLOYEES ASSOCIATION
AFSCME Local 152, AFL-CIO

RANDY PERREIRA, Executive Director • Tel: 808.543.0011 • Fax: 808.528.0922

The Thirty-Third Legislature, State of Hawaii
The Senate
Committee on Labor and Technology
Committee on Government Operations

Testimony by
Hawaii Government Employees Association

February 9, 2026

S.B. 3180 — RELATING TO RELATING TO STATE EMPLOYMENT

The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO wishes to provide comments on S.B. 3180, which repeals language that limits the temporary employment of a person in a single position for 2 terms of 89 days, and automatically abolishes positions that have been vacant for more than 48 months.

While we can appreciate the intent of this measure which is to fill vacant positions with 89-day hires for a longer period, 89-day hires have no rights, benefits, or job protections. This measure proves again that DHRD is failing at recruiting and retaining government employees. Our civil service system and DHRD is not flexible or competitive at meeting the current job market and public demands, as year after year we see no improvement in our state vacancy rate, coupled with an increase in positions exempt from civil service. We urge the legislature to make structural changes to DHRD and our civil service system so that we can competitively recruit and retain qualified employees.

Furthermore, we caution the legislature to broadly abolish vacant positions if they haven't been filled within a certain time frame. However, we have been advocating for years that vacant position money be used to increase the salary for the incumbents. Therefore, if the legislature looks to implement a framework to abolish vacant positions, then that vacant position money should solely be used to increase the salary for the incumbents within those positions, since those employees are already doing the work that was intended for the positions that remain vacant.

Thank you for the opportunity to provide comments on S.B. 3180.

Respectfully submitted,

Randy Perreira
Executive Director

Feb. 9, 2026, 3 p.m.
Hawaii State Capitol
Conference Room 225 and Videoconference

To: Senate Committee on Labor and Technology

Sen. Brandon J.C. Elefante, Chair
Sen. Rachele Lamosao, Vice Chair

Senate Committee on Government Operations

Sen. Angus L.K. McKelvey, Chair
Sen. Mike Gabbard, Vice Chair

From: Grassroot Institute of Hawaii

Ted Kefalas, Director of Strategic Campaigns

RE: TESTIMONY IN SUPPORT OF SB3180 — RELATING TO STATE EMPLOYMENT

Aloha chairs, vice chairs and other members of the committees,

The Grassroot Institute of Hawaii **supports** [SB3180](#), which would automatically abolish state positions that remain vacant for more than 48 months, unless the Legislature “affirmatively retains and funds the position.”

Additionally, the bill would allow departments to use temporary, 89-day hires to fill vacant positions for as many as 48 months before the position would be abolished, replacing the current temporary hire limitation of only two 89-day terms.

This legislation recognizes the hiring challenges that many state agencies face, while proposing smart changes to more efficiently use taxpayer dollars.

As of Nov. 1, 2025, the state had 4,273 vacant civil service positions, 485 of which had been vacant for four years or more.¹ The majority of these jobs still remain funded by the Legislature.

¹ [“Report to the 2026 Legislature as Required by Act 57, Session Laws of Hawaii 2019,”](#) Hawaii Department of Human Resources Development, updated Jan. 8, 2026, pp 1-2 and Appendix A. Note that this figure does not include Hawaii Department of Education positions.

Tying up state resources for chronically vacant positions inhibits the Legislature’s ability to respond to fiscal pressures.

Grassroot has estimated that abolishing all of the state’s vacant positions would free up more than \$350 million in tax dollars that could be allocated elsewhere.²

Abolishing just 10% of those positions, as recommended by this bill, could provide \$30 million.

Thank you for the opportunity to testify.

Ted Kefalas
Director of Strategic Campaigns
Grassroot Institute of Hawaii

² Keli’i Akina, “[Alternatives to ‘pausing’ Hawaii’s income tax cuts](#),” Grassroot Institute of Hawaii, Jan. 19, 2026.

SB-3180

Submitted on: 2/4/2026 1:42:56 PM

Testimony for LBT on 2/9/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Glen Kagamida	Individual	Support	Written Testimony Only

Comments:

SUPPORT