

ACT 205

S.B. NO. 1286

A Bill for an Act Relating to Public Officers and Employees.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. The legislature finds that there are occasions when the State encounters severe recruitment difficulties for certain positions which are essential to the needs of the public or in a shortage category. A limited labor market is often a major cause of such difficulties. Further, present civil service laws do not provide adequate recruitment flexibility to respond to these difficulties. Thus, the State's ability to compete for persons with the requisite skills and qualifications within such a highly competitive labor market is at present severely restricted.

The purpose of this Act is to provide the director of personnel services and state agency appointing authorities with the authority to provide incentives to help overcome recruitment difficulties for certain positions which are essential to the needs of the public or in a shortage category.

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

“§76- **Travel and transportation expenses.** Appointing authorities, with the prior approval of the director, may pay travel and transportation expenses to enhance the recruitment of persons employed or appointed to positions in a class declared to be in a shortage category and on continuous recruitment.”

SECTION 3. Chapter 77, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

“§77- **Recruitment incentives.** Appointing authorities, with the prior approval of the director, may provide a monetary incentive to enhance the recruitment of persons employed or appointed to positions in a class declared to be in a shortage category and on continuous recruitment; provided that:

- (1) The incentive shall not exceed one month’s salary computed at the first step of the appropriate salary range or rate and paid in installments over an agreed period of time;
- (2) If the contract is terminated prior to the total payment of the incentive, the unpaid balance shall be forfeited or disposed of as otherwise provided by rule; and
- (3) The incentive shall not be used to compute cash payments for overtime work.

The director may adopt rules to carry out the requirements of this section.”

SECTION 4. New statutory material is underscored.¹

SECTION 5. This Act shall take effect upon its approval.

(Approved May 28, 1991.)

Note

1. Edited pursuant to HRS §23G-16.5