

ACT 167

S.B. NO. 1749

A Bill for an Act Relating to Exempt Employment Status.

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

SECTION 1. Section 314-16, Hawaii Revised Statutes, is amended to read as follows:

“~~[[§314-16]]~~ **Employment status.** [Except for the chief engineer and assistant chief engineer appointed by the executive director, all] All employees of the Hawaii public broadcasting authority shall be employed in their respective categories as follows:

- (1) Category (a) - clerical, nonprofessional, and nontechnical. All employees in this category shall be subject to chapters 76 and 77, provided that nonprofessional and nontechnical employees, except those in category (c) who were employed prior to July 1, 1973 shall receive appropriate civil service status without necessity of examination.

- (2) Category (b) - professional and technical. All employees in this category shall be exempt from chapters 76 and 77, provided that such exempt employment shall be subject to review by the director of human resources development on a periodic basis to determine the propriety of continued exemption. Whenever employees are to be hired in this category, they shall be subject to review and approval of the director of human resources development in accordance with procedures concerning exempt hiring.

If the director of human resources development determines that exempt status is not appropriate, such employees shall be subject to chapters 76 and 77, provided that such employees who were employed prior to July 1, 1973 and still so employed shall receive appropriate civil service status without necessity of examination.

All full time employees in this exempt category shall be hired on [annual] a contract not to exceed one year and shall be eligible for the state employees' retirement system and for other benefits generally applicable to officers and employees of the State. Contracts with such employees shall contain a clause providing for notification to the employee of renewal or nonrenewal [ninety] thirty days prior to the expiration of the contract. Nonrenewals of such contracts shall be subject to review by the board of public broadcasting.

- (3) Category (c) - student help. All employees in this category shall be exempt from chapters 76 and 77, provided that employment in this category shall be subject to review and approval by the director of human resources development.''

SECTION 2. Statutory material to be repealed is bracketed. New statutory material is underscored.

SECTION 3. This Act shall take effect on July 1, 1995.

(Approved June 14, 1995.)