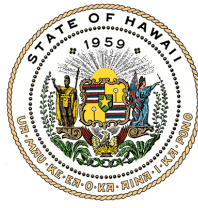


JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA



JORDAN LOWE
DIRECTOR

MICHAEL VINCENT
Deputy Director
Administration

JARED K. REDULLA
Deputy Director
Law Enforcement

SYLVIA LUKE
LT GOVERNOR
KE KE'ENA

STATE OF HAWAII | KA MOKU'ĀINA O HAWAII
DEPARTMENT OF LAW ENFORCEMENT

Ka 'Oihana Ho'okō Kānāwai

715 South King Street
Honolulu, Hawaii 96813

TESTIMONY ON HOUSE BILL 1832, HOUSE DRAFT 1, SENATE DRAFT 1
RELATING TO HIRING

Before the Senate Committee on Ways and Means

Wednesday, April 3, 2024; 10:30 a.m.

State Capitol Conference Room 211, Via Videoconference

WRITTEN TESTIMONY ONLY

Chair Dela Cruz, Vice Chair Moriwaki, and members of the Committee:

The Department of Law Enforcement (DLE) **supports** House Bill 1832, House Draft 1, Senate Draft 1.

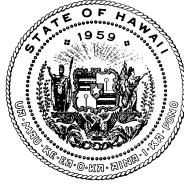
This bill authorizes State departments rather than the Department of Human Resources Development (DHRD), to conduct a minimum qualification review of applicants for vacant positions within the department. The bill also requires DHRD to provide departments applications received for vacancies.

Departments have been plagued with delays in recruitment with much of the delay associated with screening and approval of applications which is aggravated by the opening and closing of recruitment for various positions and refusal to submit unprocessed applications to departments if any applicants are currently on the list thereby further limiting department ability to screen the best candidates for positions.

Additionally, DHRD has been understaffed for a prolonged period which has undoubtedly triggered much of DHRD's inability to timely process applications.

Finally, the departments are in a much better position to evaluate the qualifications of applicants for specific positions within the department given the unique circumstances of a given position when compared to the approach of lumping all applicants for a specific category or class of position in the same box.

Thank you for the opportunity to testify in support of this bill.



STATE OF HAWAII
DEPARTMENT OF HEALTH
KA 'OIHANA OLAKINO
P. O. Box 3378
Honolulu, HI 96801-3378
doh.testimony@doh.hawaii.gov

**Testimony COMMENTING on HB1832 HD1 SD1
RELATING TO HIRING**

SEN. DONOVAN M. DELA CRUZ, CHAIR
SENATE COMMITTEE ON WAYS AND MEANS

Wednesday, April 3, 2024

10:30 am

Room 211

1 **Fiscal Implications:** None

2 **Department Testimony:** The Department of Health (DOH) supports the intent of this measure
3 and proposes amendments that may be piloted at DOH for proof of concept, or among any
4 Executive Branch agency that volunteers.

5 DOH concurs with the Legislature's findings in Section 1 of HB1832 SD1 and asserts that while
6 decentralizing recruitment activities as proposed in this measure is helpful, consideration to
7 reducing the overall number of steps to shorten the time from closing a recruitment to making an
8 offer is warranted.

9 DOH currently has delegated authority from the the Department of Human Resources and
10 Development (DHRD) for position classifications that are unique to the department. This is
11 helpful but shifts rather than reduces the level of effort. When delegated, the department can
12 already review minimum qualifications and is not required to send their review back to DHRD
13 for next steps, but can proceed with sending a list of those meeting minimum qualifications to

1 the hiring program. As written, proposed subsection (d) may hamper the current delegation
2 authority.

3 As a general practice, hiring programs seek to hire the applicant who will best be able to
4 contribute to the program. The hiring program reviews all applications that it receives, and in so
5 doing, reviews the education, training, or other requirements that would be necessary for an
6 applicant to be able to successfully perform the job. In effect, the hiring program is functionally
7 completing a duplicative review of minimum qualifications.

8 In today's candidate-driven market, delays due to producing a list of applicants who meet
9 minimum qualifications too often result stale applications where highly qualified applicants have
10 already found another job. Immediately forwarding all completed applications received will
11 eliminate this delay. The consequence is that the hiring program may need to review additional
12 applications, which programs seem eager to do in order to receive current applications, but the
13 most qualified applicant(s) remains the most qualified. For checks and balances, the
14 department's human resources office would review the selectee's application and verify
15 minimum qualifications are met prior to an offer of employment being made.

16 The efficiency is in reviewing and verifying minimum qualifications for only one application
17 rather than taking the time to do so for all applications, which doesn't change the outcome.

18 DOH would also propose to be able to interview the most qualified applicants based on their
19 written application. Selecting the most qualified applicants is the premise of the merit principle
20 and remains the foundation of this proposal.

1 DOH is willing to accept the responsibilities for implementing and evaluating a pilot and proof
2 of concept. Although all agencies are bound by the same labor and hiring statutes, each has their
3 own business culture and practices, different configurations of administrative support, and
4 unique deployments of professional expertise which may make permanent across-the-board
5 changes challenging. Limiting this pilot to DOH will provide a controlled but diverse
6 experiment given DOH's variety of classes beyond that of general professional and clerical, such
7 as clinicians, natural science specialists (geologists, microbiologists, chemists, etc.), engineers,
8 educators, peer specialists, culinary and nutritional experts, mechanics and other trades, etc.

9 **Offered Amendments:**

10 The proposed amendments below are offered as a new PART II, leaving HB1832 SD1 as drafted
11 and unamended.

12 "PART II.

13 SECTION 3. (a) The department of health, in coordination
14 with the department of human resources development, may conduct
15 a hiring pilot which shall include the following:

16 (1) Recruitment for all unique and non-unique position
17 classifications as determined by the department for
18 which the department requests or has received
19 delegation;

- 1 (2) Recruitment postings may indicate that all complete
2 applications received shall be considered by the
3 hiring program, but not all may be offered interviews;
- 4 (3) The department human resource office shall send all
5 complete applications received to the hiring program
6 without having reviewed minimum qualifications;
- 7 (4) If not offering interviews to all who submitted a
8 complete application, the hiring program may offer
9 interviews to at least four of the most qualified
10 applicants based on review of the written
11 applications;
- 12 (5) If minimum qualifications have not been reviewed and
13 verified before the hiring program makes a selection,
14 upon completion of interviews and rank-ordering of
15 candidates, the hiring program will send the name of
16 the selectee(s) to the department's human resource
17 office, whose staff will verify whether the selectee
18 meets minimum qualifications;
- 19 (6) Only upon confirmation of the selected candidate(s)
20 meeting minimum qualification by the department's

1 human resource office shall the hiring program extend
2 a conditional job offer;

3 (7) If the department's human resource office review
4 determines that the selectee's application does not
5 meet minimum qualifications or if it is appropriate to
6 reject an application based on other criteria in
7 Hawaii Administrative Rules, Section 14-3.01-11, the
8 program may not hire the applicant and may select the
9 next highest scoring applicant. The department's
10 human resource office shall notify any applicant whose
11 application is rejected, include the cause or causes
12 for rejection, and provide information on appeal
13 rights.

14 (8) The hiring program shall notify all applicants whose
15 applications were not rejected but who were not
16 selected for the position of their non-selection.

17 (9) The department of health shall ensure non-
18 discriminatory hiring practices are being maintained
19 and shall be responsible for responding to related
20 Administrative Review, Internal Complaints, Merit
21 Appeals Board, and grievance matters.

1 (10) The department of health shall be required to utilize
2 the department of human resources and development's
3 electronic human resources management system only to
4 record the disposition of all civil service
5 applications.

6 (b) Any recruitment initiated after January 1, 2027 shall
7 not be included in this hiring pilot.

8 SECTION 4. The department of health shall evaluate the
9 pilot project and submit a report of findings and
10 recommendations to the Legislature no later than twenty days
11 prior to the convening of the Regular Session of 2027.

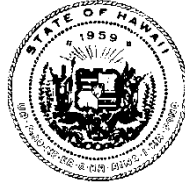
12 SECTION 5. New statutory material is underscored.

13 Section 6. This Act shall take effect on July 1, 2024,
14 provided that Section 3 shall be repealed on December 31, 2026."

15 Mahalo for the opportunity to provide testimony.

JOSH GREEN, M.D.
GOVERNOR

SYLVIA LUKE
LT. GOVERNOR



DEAN MINAKAMI
EXECUTIVE DIRECTOR

STATE OF HAWAII

DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT AND TOURISM
HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION
677 QUEEN STREET, SUITE 300
HONOLULU, HAWAII 96813
FAX: (808) 587-0600

Statement of **DEAN MINAKAMI**

Hawaii Housing Finance and Development Corporation
Before the

SENATE COMMITTEE ON WAYS AND MEANS

April 03, 2024 at 10:30 a.m.
State Capitol, Room 211

In consideration of
H.B. 1832 HD1 SD1
RELATING TO HIRING.

Chair Dela Cruz, Vice Chair Moriwaki, and members of the Committee:

HHFDC has comments on HB 1832 HD1 SD1, which authorizes a state department, division, or agency, rather than the Department of Human Resources Development (DHRD), to conduct a minimum qualification review of applicants for vacant civil service positions within the department, division, or agency.

This bill also requires DHRD to provide state departments, divisions, and agencies the applications received for vacancies under certain circumstances and to correct any errors found in a minimum qualification review received from another state department, division, or agency, and notify the state department, division, or agency within five working days.

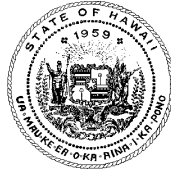
This measure makes it exponentially easier for HHFDC to fill its civil service vacancies by allowing us to review our own applicants as soon as the job posting closes. We understand best whether an applicant meets the minimum job qualifications.

The normal process to fill a civil service position can take seven months or longer, and this measure will shorten that process.

Thank you for the opportunity to testify on this bill.

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

RYAN YAMANE
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 WAYS AND MEANS

Wednesday, April 3, 2024
10:30 AM
State Capitol, Conference Room 211

In consideration of
HB1832 HD1 SD1, RELATING TO HIRING

Chair Dela Cruz, Vice Chair Moriwaki, and members of the committee.

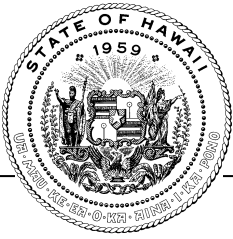
The Department of Human Resources Development (DHRD) appreciates the intent of HB 1832, HD1, SD1 which will authorize a state department, division, or agency, rather than DHRD, to conduct a minimum qualification review of applicants for vacant positions. However, we must respectfully oppose this measure.

DHRD is concerned for the following reasons:

1. This bill is unnecessary as DHRD already allows departments to request and be granted delegated authority to conduct the full range of recruitment functions for any class of work upon their request and appropriate training.
2. Allowing multiple state departments, divisions, or agencies to conduct a minimum qualification review of the same pool of applications would likely lead to confusion for the applicants and may lead to an inconsistent application of the minimum qualification requirements.
3. Similarly, allowing multiple state departments, divisions, or agencies to consider any alternative qualifications and substitutions in lieu of the state minimum qualifications is contrary to the merit principles and will likely lead to claims of discrimination or favoritism. DHRD already allows and encourages departments to request changes to minimum qualifications, including substitutions, prior to the start of recruitment. As such, we respectfully request section C be removed.

4. An objective and consistent application of the minimum qualifications protects the employer from unnecessary exposure to discrimination liability.
5. The State of Hawai'i selects persons based on merit, which is the selection of persons based on their fitness and ability for public employment pursuant to HRS §76-1.

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



**STATE OF HAWAII
OFFICE OF PLANNING
& SUSTAINABLE DEVELOPMENT**

JOSH GREEN, M.D.
GOVERNOR

SYLVIA LUKE
LT. GOVERNOR

MARY ALICE EVANS
DIRECTOR

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Written Statement of
MARY ALICE EVANS, Director

before the
SENATE COMMITTEE ON WAYS AND MEANS

Wednesday, April 3, 2024

10:30 AM

State Capitol, Conference Room 211

in consideration of
HB 1832, HD1, SD1, RELATING TO HIRING

LATE

Chair Dela Cruz, Vice Chair Moriwaki, and Members of the Senate Committee on Ways and Means.

The Office of Planning and Sustainable Development (OPSD) offers the following comments on HB 1832, HD1, SD1, which authorizes state agencies to conduct minimum qualifications reviews of applicants for vacant positions within the department, division, or agency.

OPSD appreciates the intent of this measure to authorize departments, divisions and agencies to screen applicants for vacant positions. The departments can do this task faster than the Department of Human Resource Development (DHRD). Vacant positions that go unfilled for many months leave public services without adequate staff, thus eroding public trust in government.

DHRD has the expertise to develop and disseminate policy directives, design training courses, provide advice and audit departmental human resource operations for compliance with civil service requirements, thus ensuring consistency and quality control over the merit system.

Departments have the capacity to speed up the process of screening applicants for eligibility to be interviewed and fill their vacancies more quickly.

If it is the intent of this Committee to consider ways to expedite the filling of vacant positions in order to improve public service to Hawaii residents, please consider this measure.

Thank you for the opportunity to testify on this measure.



UNITED PUBLIC WORKERS

AFSCME Local 646, AFL-CIO

**THE SENATE
KA 'AHA KENEKOA
THE THIRTY-SECOND LEGISLATURE
REGULAR SESSION OF 2024**

COMMITTEE ON WAYS AND MEANS
Senator Donovan M. Dela Cruz, Chair
Senator Sharon Y. Moriwaki, Vice Chair

Wednesday, April 3, 2024, 10:30 AM
Conference Room 211 & Videoconference

Re: Testimony on HB1832, HD1, SD1 – RELATING TO HIRING

Chair Dela Cruz, Vice Chair Moriwaki, and Members of the Committee:

The United Public Workers, AFSCME Local 646, AFL-CIO (“UPW”) is the exclusive bargaining representative for approximately 14,000 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 **supports** HB1832, HD1, SD1, which authorizes a state department, division, or agency, rather than the Department of Human Resources Development (“DHRD”), to conduct a minimum qualification review of applicants for vacant positions within the department, division, or agency. This measure also requires the DHRD to provide state departments, divisions, and agencies the applications received for vacancies under certain circumstances.

According to DHRD’s 2024 report to the Legislature, there are 4,685 vacant state positions, which represents a 27% vacancy rate. The large number of vacancies has resulted in fewer workers having to shoulder the workload of unfilled positions and may be contributing to burnout and separation from service. As written, this bill could help to address the worker shortage by reducing the length of time it currently takes to hire a qualified candidate. The unprecedented number of vacant state positions in Hawaii is having an impact on government operations and the delivery of services. We urge the committee to pass this bill.

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

Sincerely,

A handwritten signature in blue ink, appearing to read 'Kalani Werner', written over a light blue horizontal line.

Kalani Werner
State Director

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