

---

# A BILL FOR AN ACT

RELATING TO HIRING.

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

1           SECTION 1. The legislature finds that the State is facing  
2           unprecedented vacancies in state positions. According to the  
3           department of human resources development, the state vacancy  
4           rate is twenty-three per cent, as reported by departments on  
5           November 1, 2022. One contributing factor to the number of  
6           state job vacancies is the length of time between when a person  
7           applies for a state job to when that person receives a response.  
8           The department of human resources development may take up to  
9           three to six months to send a list of applicants to a department  
10          to schedule an interview. By this time, many qualified  
11          applicants have either found a different job or forgotten  
12          entirely about continuing the application process for a state  
13          job.

14          The legislature further finds that the large amount of  
15          vacancies in the state workforce is exacerbating the state  
16          worker shortage, leaving fewer workers to carry the workload,  
17          leading to burnout and further worker flight. To support the



1 currently employed state workforce, departments must be  
2 adequately staffed with dedicated workers.

3       The legislature recognizes that departments have requested  
4 the ability to review their own applicants as soon as a job  
5 posting closes or on a rolling basis. While this may not be  
6 practical for all job postings, the ability for departments to  
7 select their own highest-need positions and review those job  
8 applications directly deserves consideration. A department also  
9 has the expertise to determine whether an applicant meets  
10 minimum qualifications for a job within that department. This  
11 internal department review will not only speed up the review  
12 process for key positions but will also relieve the workload of  
13 the department of human resources development, allowing it to  
14 review the remaining applications for other job openings faster.

15       Accordingly, the purpose of this Act is to:

16       (1) Allow a state department, division, or agency, rather  
17       than the department of human resources development, to  
18       conduct a minimum qualification review of applicants  
19       for vacant positions within the department, division,  
20       or agency; and



1           (2) Require the department of human resources development  
2           to provide state departments, divisions, and agencies  
3           the applications received for vacancies under certain  
4           circumstances.

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

8           "§76-        Recruitment; minimum qualification review; state  
9           departments, divisions, and agencies. (a) Notwithstanding any  
10          other law to the contrary, a state department, division, or  
11          agency, rather than the department of human resources  
12          development, may conduct a minimum qualification review of  
13          applicants for vacant positions within that department,  
14          division, or agency.

15          (b) A state department, division, or agency that elects to  
16          conduct its own minimum qualification review of applicants for a  
17          vacancy pursuant to subsection (a) shall notify the department  
18          of human resources development, which shall provide to the  
19          department, division, or agency:



1       (1) For positions with a recruitment closing date, the  
2       applications received for the vacancy received by the  
3       closing date for that vacancy; or

4       (2) For continuous recruitment positions, the applications  
5       received for the vacancy that have been received by a  
6       certain date, as determined by the state department,  
7       division, or agency; provided that the department of  
8       human resources development shall continue to transmit  
9       applications for that position on a reasonable rolling  
10       basis until the particular vacancy is filled;

11 provided further that the department of human resources  
12 development shall submit the applications received for a vacancy  
13 immediately to a state department, division, or agency if  
14 requested by the applicable state department, division, or  
15 agency.

16       (c) In conducting the minimum qualification review of an  
17 applicant, a state department, division, or agency may consider  
18 any alternative qualifications and substitutions that may be  
19 used in place of the minimum qualifications. If a state  
20 department, division, or agency considers any other alternative  
21 qualifications or substitutions, that department, division, or



1 agency shall send justification for using the alternative  
2 qualification or substitution to the department of human  
3 resources development.

4 (d) Upon completing the minimum qualification review of  
5 applicants for a vacancy, the state department, division, or  
6 agency shall submit to the department of human resources  
7 development the applications for individuals who have met the  
8 minimum qualifications for the vacancy. The department of human  
9 resources development shall complete any other tasks necessary  
10 to facilitate the hiring of the applicants, including auditing  
11 and correcting any errors found in the minimum qualification  
12 review, as applicable."

13 SECTION 3. New statutory material is underscored.

14 SECTION 4. This Act shall take effect on July 1, 2024.



**Report Title:**

State Departments; Department of Human Resources Development;  
Civil Service; Minimum Qualification Review

**Description:**

Authorizes a state department, division, or agency, rather than the Department of Human Resources Development, to conduct a minimum qualification review of applicants for vacant positions within the department, division, or agency. Requires the Department of Human Resources Development to provide state departments, divisions, and agencies the applications received for vacancies under certain circumstances. (SD2)

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

