



UNIVERSITY OF HAWAII SYSTEM

Legislative Testimony

Testimony Presented Before the
Senate Committees on Judiciary & Labor and Government Operations
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By
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HB 2008 HD2 – RELATING TO PUBLIC EMPLOYMENT

Chairs Keith-Agaran and Kim, Vice Chairs Shimabukuro and Ihara, and members of the Committees:

I am respectfully submitting written testimony on behalf of the University of Hawai'i regarding House Bill 2008 House Draft 2 – Relating to Public Employment – which proposes to amend HRS, Chapter 78, Public Service, by adding a new section that will prohibit the State, including the University of Hawai'i, from hiring individuals for more than two (2) terms of eighty-nine (89) days for a fully general-funded position per the lifetime of the person, with limited exemptions to: 1) contracts executed under HRS, Chapters 103, 103D, 103F, 104, and any other contracts for services wherein the contracting process is established by law; 2) the respective counties; 3) the legislative branch; 4) seasonal hires by the Department of Taxation; and 5) bona fide employees that were held over after retirement for training purposes with a training plan filed with the Department of Human Resources Development.

The University of Hawai'i has significant concerns regarding the passage of HB 2008 HD2, as we believe it will hinder and jeopardize our ability to provide ongoing and necessary service and support to the University constituents, especially our students, and the greater community at large. Specifically, the bill would impact our ability to provide academic and student support services in campus departments; a safe and healthy learning and working campus environment; compliance with existing and new federal and state statutes, regulations, and other government guidelines; and timely services during personnel transitions including resignations, retirements, and transfers.

While the University acknowledges the legislature's intent to curtail the abuse of short-term temporary appointments, HB 2008 HD2 will take away the flexibility and tools critical for management to address the intermittent and immediate short-term services that allow the University to fulfill its mission, purpose, and goals in serving our students and the greater community at large. The use of temporary appointments of 89-days or less allows the University campuses and colleges to provide and fulfill Board of Regent's mandates and services by the creation of short-term employment positions in areas such as academics, student services, institutional support, administration, and operations.

In the alternative, we recommend exceptions to the prohibitions in the bill in situations that present a health and safety concern and/or compliance with federal and state laws, rules, and regulations; or rather than immediately imposing the restrictive language that HB 2008 HD2 suggests on the University and other State departments, we suggest a more collaborative approach by creating a task force to study the concerns raised with various stakeholders. The task force would then develop a plan and approach in addressing all issues in a balanced and fair manner.

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