



3.210 Hiring Options Through RCUH

I. Policy

It is the RCUH's policy to provide Principal Investigators with a variety of hiring options to suit their operational needs.

All RCUH employees are State, non-civil service employees subject to the policies and procedures of the RCUH. Continuation of employment is dependent upon program/operational needs, satisfactory work performance, availability of funds, and compliance with applicable Federal/State laws. RCUH is an EEO/AA employer (See Policy #3.110 RCUH Equal Employment Opportunity).

All RCUH employees regardless of FTE or employment category are subject to the State Ethics Code, Chapter 84, Hawai'i Revised Statutes ("HRS"), which includes access to confidential information, conflicts of interest, gifts, etc. (see Ethics Code Guide for New Employees, Hawai'i State Ethics Commission Ethics Checklist and Ethics Guide). Violations of this provision may result in penalties of the law and personnel actions.

All RCUH employees who are working with Protected Health Information (PHI) must comply with the RCUH's Health Insurance Portability and Accountability Act (HIPAA) policy, their respective agency/unit's HIPAA/PHI privacy and security policies, their applicable business associate's HIPAA/PHI privacy and security policies, required regulatory compliance, and the Health Insurance Portability and Accountability Act of 1996, as amended by the Health Information Technology for Economic and Clinical Health (HITECH) Act of 2009 (See Addendum to the #3.210C Employee Positions Affected by HIPAA Rules for Medical Records).

The RCUH Human Resources Department reserves the right to properly classify an employee's status based on the employee's duties and responsibilities and the terms and conditions of their position.

II. Responsibilities

A. Principal Investigator

1. Select the hiring option that best suits your needs and timeline.
2. Follow the established guidelines and procedures on requesting hires for your project.
3. If you are employing individuals who are working with HIPAA/PHI, you must notify the RCUH Human Resources department while creating the job description and ensure compliance with RCUH's HIPAA policy.

III. Applications

This policy applies to all Principal Investigators and/or Designees who are contemplating or planning to recruit for positions through the RCUH.

IV. Details of Policy

A. Recruited vs. Non-Recruited Hiring Options

1. Recruited Hires: Consistent with the RCUH Affirmative Action Plan and non-discrimination laws and regulations, all Regular-Status employees positions must be openly recruited.
2. Non-Recruited Hires: Recruitment process is not required for these hires, a contingent job offer may be made to the individual without RCUH approval. Temporary, student and intermittent hires are Non-Exempt and paid on an hourly rate. Non-recruited hires are not entitled to employee benefits other than the statutory benefits including unemployment insurance, FICA, workers' compensation and **ACA coverage.

There are three (3) non-recruited hire categories:

- a. *Temporary Hire*: An employee hired at any FTE for a period not to exceed 20 weeks within a one (1)-year period, irrespective of the number of temporary positions held.
- b. *Student Assistant*: A student employee who is enrolled as a student in a school, college, or university in a degree program, generally works part-time, up to 20 hours/week (50% FTE). Please refer to Policy #3.211 Student Employment for more information.
- c. *Intermittent*: An employee hired to work on an on-call as needed basis. RCUH Human Resources conducts audits on a regular basis. Employees who are found to have worked an excessive number of hours or who have not worked within a six (6)-month period may result to termination action.

** The RCUH is required by the federal Patient Protection and Affordable Care Act (Affordable Care Act or ACA) to provide any employee with an affordable medical plan if he/she meets the eligibility requirements. All Non-Recruited Hires who work at least 30 hours/week and 130 hours in a calendar month are deemed eligible for Medical Insurance benefits. RCUH must offer these eligible employees an affordable medical plan coverage, which is the lowest costing single rate coverage. If the employee(s) decides to enroll in this affordable RCUH medical plan, then the employee's hourly rate must be adjusted to the prevailing ACA minimum wage to meet the ACA compliance requirements.

B. Regular vs. Non-Regular Status

1. Regular-Status Hires: This is the RCUH's primary employment category. All Regular-Status hires are subject to RCUH Human Resources policies/procedures and are eligible for the standard employee benefits package, subject to meeting eligibility criteria.

Below are the methods for hiring regular-status employees:

- a. *Open, Competitive Recruitment*: An employee who has been recruited in accordance with Policy #3.234 Recruitment of Regular Hires and Policy #3.235 Selection of Regular Hires and eligible for the standard employee benefit package, dependent on meeting the eligibility criteria. This is the most common method of recruiting a Regular-Status employee.

- b. *Visiting Appointment*: An employee who is on leave from a university, college, or research institute (i.e., sabbatical) and who has a permanent position to which he/she is guaranteed to return. Visiting appointments shall not exceed one (1) year and may be appointed upon recommendation of the PI.
 2. Non-Regular Status: Generally, the Non-Regular status is used to handle specific collaborative employment actions between agencies. All positions are considered limited-term or fixed-term employment actions, recruitment may be waived under specific circumstances, and the project may establish an individualized benefit program due to the narrow scope of funding. Non-Regular status hires are subject to approval by the RCUH Director of Human Resources.
 - a. *Postdoctoral Fellowship (i.e., IfA) (and Other Junior Scientific Researcher)*: These are positions funded through outside institutes, foundations, grants, etc. (e.g., Hubble Foundation). Incumbents are selected for short-term assignments (i.e., less than 3 years). Recruitment and selection of these positions are normally conducted jointly with the funding agency, which authorizes selection and placement. Terms and conditions vary from the Regular-Status employees, specifically in pay rates, employee benefits, recruitment, and selection.
- C. **Fringe Benefits** – All hires are subject to statutory fringe benefit charges for unemployment insurance, FICA, and workers’ compensation. Eligible employees will be entitled to other benefits. See Policy #3.510 Fringe Benefit Schedule for more information.
- D. **Hiring Non-Immigrant Workers** – RCUH Human Resources provides limited visa assistance to projects that would like to invite foreign national individuals to engage in research or employment on a temporary basis, when appropriate. Assistance includes providing visa eligibility documents for new participants or employees and filing forms with the appropriate government agencies as needed (See Policy #3.212 RCUH Nonimmigrant Visas for more information).
- E. **Rehiring Former RCUH Employees**
 1. Rehiring RCUH Non-Retirees: Former RCUH employees being re-hired with a different RCUH project must have at least one (1) telephone reference check done with the previous project’s Principal Investigator/immediate supervisor or with the RCUH Director of Human Resources (or Designee). Former RCUH employees being re-hired with the same RCUH project must have at least one (1) telephone reference check with the current project Principal Investigator/immediate supervisor or the RCUH Director of Human Resources, or designee is required.
 2. Rehiring RCUH Retirees: Former RCUH employees who have separated from service with the RCUH and who have elected a partial distribution of their retirement benefit (e.g., monthly retirement income, a lump sum withdrawal) from their RCUH Group Retirement Annuity (GRA) plan (see Policy #3.560 RCUH Retirement Plans for information on the GRA plan) must have experienced a “bona fide retirement” from the RCUH for the purposes of the IRS 26 Code of Federal Regulations Sec. 1.401(a)-1(b)(1)(i) to be eligible for rehire with the RCUH. The table below presumes that the retiree has made a bona fide retirement and may be rehired absent facts rebutting the presumption.

Age Prior to Separation from Service or During Retirement	Bona Fide Retirement Presumption or Break in Service Requirement
Age 65 and older	May be rehired at any time
Ages 62-64	Must have a separation of service of at least two (2) months
Ages 59½-61	Must have a separation of service of at least four (4) months with NO evidence of intention to rehire the employee at the time of separation
Under Age 59½	Must have a separation of service of at least six (6) months with NO evidence of intention to rehire the employee at the time of separation

**Employees who did not elect a partial distribution of their benefits may be rehired at any time.*

Refer to Addendum to the 3.210B Rehiring RCUH Retirees Addendum for more information.

- F. **Hiring State/County Retirants:** Former employees of a State or County agency who are receiving pension benefits (i.e., “retirants”) from the State of Hawai‘i’s Employees Retirement System (ERS) must adhere to employment/rehiring requirements of Chapter 88 of the Hawai‘i Revised Statutes (§88-9 Pension and Retirement Systems). A separation of service of at least six (6) months with NO evidence of intention to rehire the employee at the time of separation may be required prior to employment with the RCUH.

- G. **Form I-9, Employment Eligibility Verification and E-Verify:** All individuals working in the United States (U.S.), regardless of hiring category, must have work authorization (as authorized/granted by the applicable U.S. government agencies) and must complete the Form I-9 as part of the hiring process. Form I-9 is used for verifying the identity and employment authorization of individuals hired for employment in the U.S. RCUH participates in E-Verify and will provide the federal government with the Form I-9 information to confirm the individual is authorized to work in the U.S. RCUH Human Resources will perform the E-Verify process no later than the third business day after the employee starts work for pay. Refer to Policy #3.236 RCUH New Hire Document Processing for more details.

V. Procedures

- A. **View the Various Hiring Options through RCUH:** The RCUH provides several employment categories to accommodate a variety of working relationships and environments.

Category	Recruitment Required?	Benefits	Duration
Regular	Yes	50% or higher FTE; eligible for appropriate benefits and leaves	More than 20 weeks
Intermittent	No	ACA Coverage	On-call as needed
Student	No	ACA Coverage	Semester to semester
Temporary	No	ACA Coverage	20 weeks maximum

B. Length of Time to Hire

1. Regular Status: It takes approximately four to eight (4–8) weeks to hire a recruited employee, depending on the size of the applicant pool, length of time that the position is posted, and length of time it takes to complete the selection process.
2. Non-Recruited Hire Timeline: It takes approximately two to seven (2–7) days to hire a non-recruited employee.

C. Approval Needed for Regular-Status Hiring

1. For Visiting Appointments: The PI must submit a memo to the RCUH Director of Human Resources with justification for the visiting appointment and evidence that the individual is on leave from his/her permanent position.

D. Procedures on How to Initiate a Request to Hire

1. For Regular Status: See **Policy #3.234 Recruitment of Regulars Hires.**
2. For Non-Recruited Hires: Initiate and submit hire requests via the Human Resources Portal.
3. For All Non-Regular-Status Appointments: A memorandum must be submitted to the RCUH Director of Human Resources with parameters of the positions and justification for utilizing the employment categories.

VI. Contact

RCUH Employment: (808) 956-7307

rcuh_employment@rcuh.com

VII. Relevant Documents

[Ethics Code Guide for New Employees](#)

[Ethics Checklist](#)

[Ethics Guide](#)

[I-9 Central](#)

[M-274, Handbook for Employers, Guidance for Completing Form I-9](#)

[E-Verify](#)

[E-Verify Participation Poster](#)

[Right to Work Poster \(English\)](#)

[Right to Work Poster \(Spanish\)](#)

[Addendum to the #3.210B Rehiring RCUH Retirees Addendum](#)

[Addendum to the 3.210C Employee Positions Affected by HIPAA Rules for Medical Records](#)

[Policy 3.110 RCUH Equal Employment Opportunity](#)

[Policy 3.211 RCUH Student Employment](#)

[Policy 3.212 RCUH Nonimmigrant Visas](#)

[Policy 3.225 RCUH Employee-Independent Contractor Review](#)

[Policy 3.234 RCUH Recruitment of Regular Hires](#)

[Policy 3.235 RCUH Selection of Regular Hires](#)

[Policy 3.510 RCUH Fringe Benefits Schedule](#)

[Policy 3.560 RCUH Retirement Plans](#)

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