

# LATE TESTIMONY

HOUSE OF REPRESENTATIVES  
TWENTY-SIXTH LEGISLATURE 2012  
STATE OF HAWAII

## **COMMITTEE ON ECONOMIC REVITALIZATION & BUSINESS**

Rep. Angus L.R. McKelvey, Chair  
Rep. Issac W. Choy, Vice Chair

Hearing: Tuesday, February 14, 2012

Time: 8:30 a.m.

Place: Conference Room 312

## **TESTIMONY OF ILWU LOCAL 142 RE: H.B. 2582, HD 1 RELATING TO APPEALS TO THE APPELATE BOARD**

Chair McKelvey, Vice Chair Choy, Members of the Committee on Economic Revitalization:

Thank you for the opportunity to present testimony regarding H.B. 2582, HD 1. We support this useful and constructive bill.

H.B. 2582 allows the Labor and Industrial Relations Appeals Board to charge a modest fee of \$30.00 for the filing of individual appeals to establish a special fund for electronic document management and language interpreting services.

Like many employers in the private sector, the Labor and Industrial Relations Appeals Board has been adversely affected by the rise and fall of the state's economy. Shrinking state budgets have resulted in painful reductions in the Board's staffing and that have compromised the Board's ability to adjudicate cases promptly, despite increased effort from a dedicated staff and able leadership from the Board's chairs and two other members.

A modest filing fee is well-justified to enable the board to provide technological enhancements to increase its efficiency and to provide language interpreter cases where they are genuinely needed. Any experienced practitioner in workers' compensation adjudication will surely agree that there are few more time consuming and unproductive experiences than attempting to hold hearings where key witnesses cannot communicate effectively in the English language. However, a skilled interpreter can transform such exercises in futility into meaningful and productive hearings. Such interpreter services will be more feasible if funding is available to employ such assistance.

H.B. 2582, HD 1 is thus a measure deserving of bipartisan support for it makes a prudent, minor adjustment in the scheme of the Board's current operation that will enhance the Board's effectiveness in serving all parties that it serves. A more efficient board will minimize those cost increases associated with delay occasioned by litigation,

and in that fashion will contribute to lower costs for insurers, lower premiums for employers, and adequate resources to compensate truly deserving injured workers. Over time, these positive consequences will redound to the benefit of business enterprises and employees alike and contribute to a more robust climate throughout our state.

We therefore urge the passage of H.B. 2582.

# LATE TESTIMONY

February 13, 2012

To: The Honorable Angus L. K. McKelvey, Chair  
The Honorable Isaac W. Choy, Vice Chair  
And Members of the Committee

Date: Tuesday February 14, 2012  
Time: 8:30 a.m.  
Place: Conference Room 312, State Capitol  
Re: Support of HB No. 2582, H.D. 1

I am in support of HB 2582, HD 1 Relating to Appeals to the Appellate Board

My name is Laurie H. Hamano and I am President and Owner of Vocational Management Consultants Inc. I am a member of the Chamber of Commerce and a member of the International Association of Rehab Professionals. I have been working in the workers compensation field as a vocational rehabilitation counselor for the past 27 years.

During those past 27 years, the Department of Labor and Industrial Relations has changed drastically. In 1995, the DLIR was stripped of funds and eliminated many in the the department personnel that reviewed the vocational rehabilitation services. In fact, they have Ms. Diane Oshiro who has been reviewing all of the reports and plans as well as making decisions regarding the vocational rehabilitation cases. I am sure that there were many other departments stripped of personnel that would assist the movement of the many cases that are now waiting for hearings or decisions from the department.

This measure will allow for the DLIR to charge fees that would assist in helping the administration pay for staffing necessary to process appeals and other administrative costs.

As a small business person in Honolulu, these costs are minute to the overall costs in workers compensation. Should these fees assist the administration to move more cases along and faster, this bill needs to be supported. Thank you for your allowing me to provide this testimony.

Laurie H. Hamano, M. Ed. CRC, LMHC  
President/Vocational Rehabilitation Counselor

You may contact me at: Vocational Management Consultants, Inc.  
715 S. King Street Suite 410  
Honolulu, Hawaii 96813

# LATE TESTIMONY

George M. Waialeale  
910 Kapahulu Avenue #703  
Honolulu, Hawaii 96816  
Email: [geedubbyou@aol.com](mailto:geedubbyou@aol.com)  
Phone: (808) 383-0436

February 14, 2012

## Committee on Economic Revitalization and Business

### HB 2582 HD1 Relating to Appeals to the Appellate Board

I am here to testify in support of HB 2582 HD1. This bill authorizes the Labor and Industrial Relations Appeals Board to establish reasonable fees for the filing for appeals and other administrative costs associated with the processing of appeals and to establish a Labor and Industrial Relations Appeals Board Special Fund.

These moneys shall be used by the labor and industrial relations appeals board for operating costs. The labor and industrial relations appeals board shall submit a report to the legislature detailing all funds received and all moneys disbursed out of the fund prior to the convening of each regular legislative session.

I ask for your passage of this legislation.

George Waialeale