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DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS**

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March 25, 2013

To: The Honorable David Ige, Chair,  
The Honorable Michelle Kidani, Vice Chair, and  
Members of the Senate Committee on Ways and Means

Date: Monday, March 25, 2013

Time: 9:05 a.m.

Place: Conference Room 211, State Capitol

From: Dwight Y. Takamine, Director  
Department of Labor and Industrial Relations (DLIR)

**Re: H.B. No. 924 HD1 SD1 Relating to Collective Bargaining**

**I. OVERVIEW OF PROPOSED LEGISLATION**

The purpose of this proposal is to clarify the procedure for using first class mail by the Hawaii Labor Relations Board (HLRB) to notify parties of a hearing, notwithstanding section 91-9.5, Hawaii Revised Statutes (HRS). The bill also amends section 89-9, HRS, by repealing wording that is not in effect and updating statutory references.

- The department strongly supports this Administration proposal.

**II. CURRENT LAW**

Current law requires the Board to use registered or certified mail to notice the parties.

**III. COMMENTS ON THE HOUSE BILL**

The proposal would permit the HLRB to more efficiently allocate resources. Currently, HLRB spends \$3600 a year for postage expenses. This measure would allow the board to realize savings of 77% or about \$2200 per year. The money from the postage savings would be used in developing an electronic filing system and is the first step in HLRB's strategic planning efforts to move the agency into the digital age with a goal towards paperless litigation and electronic filing and document management.

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March 22, 2013

To: The Honorable David Y. Ige, Chair,  
The Honorable Michelle Kidani, Vice Chair, and  
Members of the Senate Committee on Ways & Means (WAM)

Date: Monday, March 25, 2013  
Time: 09:05 a.m.  
Place: Conference Room 211, State Capitol

From: Sesnita Moepono, Board Member  
Hawaii Labor Relations Board

**Re: H.B. No. 924, HD 1, SD 1 Relating to Collective Bargaining**

**I. OVERVIEW OF PROPOSED LEGISLATION**

The purpose of this bill is to clarify the procedure for using first class mail by the Hawaii Labor Relations Board (Board) to notify parties of a hearing, notwithstanding section 91-9.5, Hawaii Revised Statutes (HRS). The bill also amends section 89-9, HRS, by repealing wording that is not in effect and updating statutory references.

**II. CURRENT LAW**

HRS section 91-9.5(a) states:

Unless otherwise provided by law, all parties shall be given written notice of hearing by registered or certified mail with return receipt requested at least fifteen days before the hearing.

### **III. COMMENTS**

HLRB strongly supports this bill and requests changing the effective date to “This Act shall take effect upon its approval”.

Governor Abercrombie’s New Day plan envisions transforming state government into an efficient and effective enterprise. If enacted, this measure would allow the board to allocate its resources more efficiently. In addition, this is the first step in the board’s strategic planning efforts to move the agency into the digital age with a goal towards paperless litigation and electronic filing and document management.

The Board spends a yearly average of \$3600 for postage expenses. This measure would allow the board to realize savings of 77% or about \$2200 per year. Last year, the Legislature authorized the Labor and Industrial Relations Appeals Board to mail its hearing notices by first class mail. The money from the postage savings would be used in developing an electronic filing system to manage cases.

The Board does not anticipate any legal problems that may be generated by this request. In the past, when a party does not receive a notice due to the mail, the Board has rescheduled a hearing to ensure receipt of the notice by all parties. The Board will continue this practice to ensure equity for all parties.

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