



**STATE OF HAWAII
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS**

830 PUNCHBOWL STREET, ROOM 321
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<http://labor.hawaii.gov>

February 12, 2013

To: The Honorable Sylvia Luke, Chair,
The Honorable Scott Y. Nishimoto, Vice Chair,
The Honorable Aaron Ling Johanson, Vice Chair, and
Members of the House Committee on Finance

Date: February 14, 2013

Time: 2:45 p.m.

Place: Conference Room 308, State Capitol

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

Re: H.B. No. 926 Relating to Occupational Safety and Health Hearings

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 clarifies the HLRB's powers for conducting appeals.

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. 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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February 12, 2013

To: The Honorable Sylvia Luke, Chair,
The Honorable Scott Y. Nishimoto, Vice Chair,
Members of the House Committee on Finance

Date: Thursday, February 14, 2013
Time: 2:45 p.m.
Place: Conference Room 308 State Capitol

From: Sesnita Moepono, Board Member
Hawaii Labor Relations Board (HLRB)

Re: H.B. No. 926 Relating to Occupational Safety and Health Hearings

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 clarifies the board's powers for conducting appeals.

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

The HLRB supports this bill.

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 more efficiently allocate resources. 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.

The bill also clarifies the board's powers for conducting appeals.

Thank you for allowing us the opportunity to testify on this bill.