

NEIL ABERCROMBIE
GOVERNOR

DWIGHT TAKAMINE
DIRECTOR

AUDREY HIDANO
DEPUTY DIRECTOR



JAMES B. NICHOLSON
CHAIR

SESNITA A.D. MOEPONO
BOARD MEMBER

ROCK B. LEY
BOARD MEMBER

STATE OF HAWAII
HAWAII LABOR RELATIONS BOARD
830 PUNCHBOWL STREET, ROOM 434
HONOLULU, HAWAII 96813
TELEPHONE 586-8610/ FAX 586-8613
E-MAIL dhir.laborboard@hawaii.gov

March 14, 2013

To: The Honorable Mark M. Nakashima, Chair,
The Honorable Mark J. Hashem Vice Chair,
Members of the House Committee on Labor & Public Employment

Date: Friday, March 15, 2013
Time: 09:10 a.m.
Place: Conference Room 309, State Capitol

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

Re: S.B. No. 877, SD 1 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 Board makes every attempt to have a representative attend a legislative hearing. However, due to the Board's schedule there are times that a Board representative may not be present and we apologize for this inability.

HLRB supports this bill and asks the Committee to change the approval date to "on 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 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.