

GM645

LATE

TESTIMONY

NEIL ABERCROMBIE
GOVERNOR

SHAN S. TSUTSUI
LIEUTENANT GOVERNOR



DWIGHT TAKAMINE
DIRECTOR

JADE T. BUTAY
DEPUTY DIRECTOR

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

830 PUNCHBOWL STREET, ROOM 321
HONOLULU, HAWAII 96813
www.labor.hawaii.gov
Phone: (808) 586-8844 / Fax: (808) 586-9099
Email: dliir.director@hawaii.gov

**TESTIMONY BY DWIGHT TAKAMINE
IN STRONG SUPPORT OF NOMINEE**

**DANNY VASCONCELLOS
AS THE CHAIRMAN OF THE
LABOR & INDUSTRIAL RELATIONS APPEALS BOARD**

Senate Committee on Judiciary and Labor
Monday, April 14, 2014
10:00a
Hawaii State Capitol, Conference Room 325

Chairman Hee and members of the Senate Judiciary and Labor Committee,

Good morning and thank you for the opportunity to testify in support of Danny Vasconcellos' appointment to be Chairman of the Labor and Industrial Relations Appeals Board.

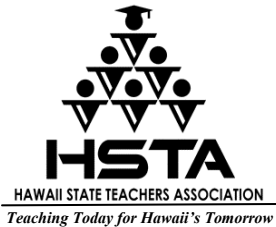
I have known Danny for close to 30 years as he and I have practiced law in the worker's compensation field. That is why I can say without any hesitation that he is one of the most competent attorneys in this area.

Not only does he possess sharp legal skills, but his low key approach, also has allowed him to be effective at settling many cases on behalf of the clients.

Probably the one character trait which helps to define Danny is his sense of fairness. Though he is a tough advocate when it comes to representing his clients, he has maintained a sense of balance that is based on an understanding of the legislative intent behind the workers' compensation law.

One of his other strengths includes an ability to work with others and to encourage a "team" approach to addressing concerns.

I do see Danny as a strong fit in the position he was appointed to, and would encourage your favorable consideration for his confirmation. If I can answer any questions, I would be more than happy to do so.



1200 Ala Kapuna Street λ Honolulu, Hawaii 96819
Tel: (808) 833-2711 λ Fax: (808) 839-7106 λ Web: www.hsta.org

TESTIMONY BEFORE THE SENATE COMMITTEE ON
JUDICIARY AND LABOR

Wil Okabe
President
Joan Kamila Lewis
Vice President
Colleen Pasco
Secretary-Treasurer
Alvin Nagasako
Executive Director

DATE: MONDAY, APRIL 14, 2014

RE: GM 645 - DANNY VASCONCELLOS, LABOR AND INDUSTRIAL RELATIONS
APPEALS BOARD, TERM TO EXPIRE 6-30-2020

PERSON TESTIFYING: WIL OKABE, PRESIDENT
HAWAII STATE TEACHERS ASSOCIATION

The Honorable Chair Clayton Hee, Vice Chair Maile Shimabukuro and Members of the Committee:

The Hawaii State Teachers Association (HSTA) **strongly supports GM 645**, which submits for consideration the appointment of Danny Vasconcellos to the Labor and Industrial Relations Appeals Board for a term to expire June 30, 2020.

The Hawaii Labor and Industrial Relations Appeals Board adjudicates cases on appeal from the Director of Labor and Industrial Relations relating to workers' compensation and boiler and elevator safety. To protect the rights of injured workers, members of the board must be skilled in evaluating complex claims with objectivity and fairness.

As a labor attorney, Danny Vasconellos has demonstrated a commitment to equity. Vasconellos has passionately fought for the organizational rights of labor groups as diverse as UPW and HSTA, consistently defending the integrity of the collective bargaining process. Moreover, he has worked to advance the quality of public education in our state by judging education reforms within a constitutional context, safeguarding educators from ineffective professional intrusions, contesting arbitrary cuts to the academic calendar, and promoting cooperative relations between government and its employees.

Thank you for this opportunity to testify in support of Danny Vasconellos. We urge you to approve his appointment.

WIMAH

WORK INJURY MEDICAL ASSOCIATION OF HAWAII
91-2135 FORT WEAVER ROAD SUITE #170
EWA BEACH, HAWAII 96706

MAULI OLA
THE POWER OF HEALING

APRIL 14, 2014

COMMITTEE ON JUDICIARY AND LABOR

GOVERNOR'S MESSAGE 645

SUBMITTING FOR CONSIDERATION AND CONFIRMATION TO THE LABOR AND INDUSTRIAL RELATIONS APPEALS BOARD. GUBERNATORIAL NOMINEE. DANNY VASCONCELLOS, FOR A TERM TO EXPIRE 6-30-2020.

I AM HERE TO TESTIFY IN SUPPORT OF DANNY VASCONCELLOS FOR CONSIDERATION AND CONFIRMATION TO THE LABOR AND INDUSTRIAL RELATIONS APPEALS BOARD. I HAVE KNOWN DANNY FOR THE LAST 20 YEARS.

I BELIEVE THAT HE WILL MAKE A GREAT ADDITION TO THE LABOR AND INDUSTRIAL RELATIONS APPEALS BOARD.

I ASK FOR YOUR CONSIDERATION AND CONFIRMATION OF DANNY VASCONCELLOS TO THE LABOR AND INDUSTRIAL RELATIONS APPEALS BOARD.

GEORGE M. WAIALEALE
EXECUTIVE DIRECTOR
WORK INJURY MEDICAL ASSOCIATION OF HAWAII

**TESTIMONY OF THE HAWAII ASSOCIATION FOR JUSTICE IN SUPPORT
OF THE NOMINATION OF DANNY VASCONCELLOS TO THE LABOR AND
INDUSTRIAL RELATIONS APPEALS BOARD**

Monday, April 14, 2014

To: Chairman Clayton Hee and Members of the Senate Committee on Judiciary and Labor.

My name is Bob Toyofuku and I am submitting this testimony on behalf of the members of the Hawaii Association for Justice (HAJ) in support of the nomination of Danny Vasconcellos to the Labor and Industrial Relations Appeals Board.

Attorney Vasconcellos graduated from the William S. Richardson School of Law in 1987 and has been in the private practice of law for the past 26 years. His practical experience is not only in various types of civil cases but he also has extensive experience in the area of workers compensation law.

Because of his extensive experience and background HAJ strongly supports his nomination and confirmation by this committee and by the Senate.

Thank you for this opportunity to present this testimony in support of Mr. Vasconcellos.

LAW OFFICES OF
MASUI  **MASUI**

Stanford H. Masui • Erin B.J.H. Masui
Seven Waterfront Plaza, Suite 400 • 500 Ala Moana Blvd. • Honolulu, HI 96813
PH. 543-8346 • FAX: 521-7620 • ALT. FAX: 543-2010

April 13, 2013

THE SENATE
THE TWENTY-SEVENTH LEGISLATURE
REGULAR SESSION OF 2014

COMMITTEE ON JUDICIARY AND LABOR

TO: CLAYTON HEE, Chair
MAILE S.L. SHIMABUKURO, Vice Chair
OTHER HONORABLE MEMBERS OF THE COMMITTEE

FROM: STANFORD H. MASUI, for the Workers' Compensation Section,
Hawaii Association for Justice

DATE: Monday, April 14, 2014
TIME: 10:00 AM
PLACE: Conference Room 325
State Capitol
425 South Beretania Street

RE: Support for GM 645 DANNY VASCONELLOS to the Labor and
Industrial Relations Appeal Board for a term to expire June 30,
2020.

Dear Chair Hee, Vice Chair Shimabukuro, and Members of the Committee:

The Workers' Compensation Section of the Hawaii Association of Justice is comprised of practitioners in this specialized field of law. The section wholeheartedly endorses Danny Vasconcellos for this position.

Danny has devoted his practice to helping the workingman and those injured while in the course of employment. I learned of his integrity and dedication to the law during our work together as partners in the law firm of Takahashi, Masui, and Vasoncellos. We each carried caseloads of up to 200 cases involving workers compensation. Danny therefore was involved in the minutiae of rules, regulations, and case law before the Disability Compensation

ACCIDENT CASES • WORKPLACE DISCRIMINATION • WORKER'S COMPENSATION

Email: (Stan) standamanmasui@gmail.com • (Erin) masui.law@gmail.com

Visit us: www.stanfordmasui.com

LAW OFFICES OF
MASUI  **MASUI**

Stanford H. Masui • Erin B.J.H. Masui
Seven Waterfront Plaza, Suite 400 • 500 Ala Moana Blvd. • Honolulu, HI 96813
PH. 543-8346 • FAX: 521-7620 • ALT. FAX: 543-2010

Division and Labor and Industrial Relations Appeals Board.

Danny also researched, briefed or was involved in several appellate cases before the Intermediate Court of Appeals and Supreme Court of Hawaii, including Capua v. Weyerhaeuser, Zemis v. SCI Contractors, Inc./E.E. Black, Inc., 80 Haw 442, 911 P.2d 77 (1996) Survivor of Iida v. Oriental Imports, Inc., 84 Haw. 390, 935 P.2d 105 (Hi.App. 1997) Hayashi v. Scott Co., 93 Haw. 8, 994 P.2d 1054 (2000) Lindinha v. Hilo Coast Processing Co., 104 Haw. 164, 86 P.3d (2004) and Kapuwai v. City and County of Honolulu, 119 Haws. 304, 196 P.2d 306 (Haw.App. 2008).

Danny has the experience and background to be a credit to the workers' compensation system which is sorely in need of dedicated attorneys to administer the law and do justice as the workers compensation law was intended.

Thank you for your favorable consideration.

ACCIDENT CASES • WORKPLACE DISCRIMINATION • WORKER'S COMPENSATION

Email: (Stan) standamanmasui@gmail.com • (Erin) masui.law@gmail.com

Visit us: www.stanfordmasui.com

PAUL K. W. AU, ESQ.
P.O. Box 10001
Honolulu, Hawaii 96816

April 14, 2014

The Honorable Clayton Hee, Chair
and Members of the Committee
on Judiciary and Labor
The Senate
State Capitol, Room 325
415 South Beretania Street
Honolulu, Hawaii 96813

Dear Chair Hee and Members of the Committee:

SUBJECT: GM 645 (Nomination of Danny Vasconcellos)

I am testifying in support of Mr. Danny Vasconcellos' nomination to the Labor and Industrial Relations Appeals Board. I have known Mr. Vasconcellos for approximately fifteen years, since shortly after I began to handle workers' compensation defense cases for the City and County of Honolulu.

As opposing counsel, Mr. Vasconcellos proved to be a worthy adversary who was well versed in workers' compensation and labor law. In addition, he was always a passionate advocate who devoted the time and resources to present compelling arguments on behalf of his clients. Those qualities will continue to serve Mr. Vasconcellos well as an arbiter of the law and I ask that the Committee confirm his nomination to the Labor and Industrial Relations Appeals Board.

Thank you for allowing me to testify in support of this nomination.

Sincerely,

Paul K. W. Au

AYABE, CHONG, NISHIMOTO, SIA & NAKAMURA

ANN H. AKATANI
SIDNEY K. AYABE*
MONICA K. S. CHOI
ROBERT A. CHONG
STEPHEN G. DYER
PATRICIA T. FUNI
STEVEN L. GOTO
KENNETH T. GOYA
DAVID A. GRUBNER
RYAN J. INOUE
RONALD T. MICHIOKA
GARY S. MIYAMOTO

A LIMITED LIABILITY LAW PARTNERSHIP

1003 BISHOP STREET, SUITE 2500
HONOLULU, HAWAII 96813
TELEPHONE: (808) 537-6119
FAX: (808) 526-3491

RICHARD P. NAKAMURA
JOHN S. NISHIMOTO
ZALE T. OKAZAKI
RONALD M. SHIOEKANE
JEFFREY H. K. SIA
PHILIP S. UESATO
MICHAEL J. VAN DYKE
J. THOMAS WEBER
DIANE W. WONG
CALVIN E. YOUNG

E-mail: robert.chong@hawadvocate.com

RODNEY S. NISHIDA
(1949 - 2004)

*A LAW CORPORATION

April 11, 2014

Senator Clayton Hee
Committee on Judiciary and Labor
State Capitol, Room 219
415 South Beretania Street
Honolulu, Hawaii 96813

Facsimile: 586-7334

**Re: Letter in Support of Danny J. Vasconcellos as Chairman
of the Labor and Industrial Relations Appeals Board**

Dear Chair Hee, Vice Chair Shimabukuro, and Members of the Senate Committee on Judiciary and Labor:

I write in support for the confirmation of Danny Vasconcellos as the next Chair of our State's Labor and Industrial Relations Appeals Board. The majority of my law practice for the past 34+ years has focused on defending employers, both insured and self-insureds, against workers' compensation claims filed by their alleged injured workers.

Notwithstanding the fact Danny and I have always represented opposing interests in the numerous claims we have had together, I can say without reservation we have a mutual respect for each other professionally. He has always been prepared and fair when we have encountered each other at hearings and trials. He has been a tireless and passionate advocate for his clients' rights and interests. While he could be quite tenacious at times in his zeal to represent his clients' best interests, he has always been fair and honest in his dealings with me.

I am confident Danny will fulfill the duties as Chair with the same passion, zeal, and commitment he devoted to his clients over the years. If I have any reservations about his nomination it will be whether he will be able to adjust his temperament to become less adversarial and more even keeled/impartial when addressing the parties appearing before him. I believe his practical experience, sense of professionalism and fairness will make him an excellent chair.

The people of Hawaii and in particular those of us in the workers' compensation community will greatly benefit by Danny's vast experience as a litigator and his understanding of Hawaii's workers' compensations laws, regulations, and procedures. He has certainly earned

Celebrating 51 Years of Service to the Community

Wade Gesteuyala
47-417 Waihee Road
Kaneohe, HI 96744
(808) 341-6082 Cell

April 11, 2014

Transmitted via facsimile #(808) 586-7334 / No. of Pg. 1

Senator Clayton Hee, Chair
Senator Maile Shimabukuro, Vice Chair
Senate Committee on Judiciary and Labor
Hawaii State Senate
415 South Beretania Street
Honolulu, HI 96813

Subject: Compelling Support for GM 645 Danny Vasconcellos As Chair of Labor and Industrial Relations Appeals Board

Dear Senator Hee, Senator Shimabukuro and Members of the Committee:

Thank you for the opportunity to provide my strongest support for the confirmation of Danny Vasconcellos as the next Chairman for the Labor & Industrial Relations Appeals Board.

I have personally known Danny for over 40 years as we attended Damien Memorial High School and graduated in the class of 1973. He was a conscientious student and loyal friend. As likely, he would become a successful lawyer in our later years. Professionally, I have relied on Danny for his legal assistance on hotel and labor relations. His generous time and valuable guidance helped me in important business decisions.

Mr. Vasconcellos is very well respected in the community and among our peers. He keeps in contact with our classmates, attends reunions, and sincerely engages with everyone. His true character and concern for others makes him a credible leader.

I am proud of Danny Vasconcellos and his accomplishments, and I am happy for this opportunity to testify in support of his appointment as Chair of Labor and Industrial Relations Appeal Board. Please feel free to contact me if I can be of further assistance.

Sincerely,

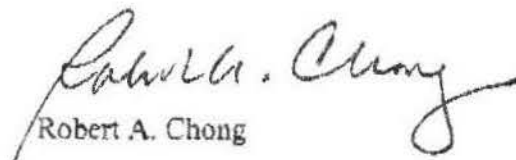

Wade Gesteuyala

Senator Clayton Hee
April 11, 2014
Page 2

my respect as an intelligent fellow comp lawyer, and I look forward to him being confirmed by you in the near future.

Please do not hesitate to call me if you have any questions.

Very truly yours,



Robert A. Chong