

ACT 212

H.B. NO. 914

A Bill for an Act Relating to the Hawaii Labor Relations Board.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. Section 396-11.5, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) In any hearing conducted by the appeals board under this chapter and pursuant to chapter 91, notwithstanding section 91-9.5, all parties shall be given written notice of hearing by first class mail or by electronic service through a company designated by the [appeals] board at least fifteen days before the hearing.”

SECTION 2. Section 396-12, Hawaii Revised Statutes, is amended to read as follows:

“**§396-12 Judicial review.** Except where an order has already become final for failure to contest, the decision and order of the appeals board shall be final and conclusive unless the director or any party to the proceedings before the appeals board obtains a review thereof in the manner provided in chapter 91 by instituting proceedings in the circuit court of the circuit in which the place of employment, machine, device, apparatus, or equipment is situated or such practice, means, method, operation, or process is employed. The hearing on review shall be on the record and the department shall be deemed a party to any such proceedings. The court shall give precedence to such proceedings over all other civil cases.

The party seeking the review of a decision and order of the appeals board shall bear the cost of preparing a transcript, ~~[unless otherwise prohibited]~~ except as provided by law, in which case the appeals board shall bear the cost of preparing the transcript.”

SECTION 3. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 4. This Act shall take effect upon its approval.

(Approved July 2, 2019.)