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Transaction ID 55719341
Case No. OSH 2014-9

STATE OF HAWAII

HAWAII LABOR RELATIONS BOARD

In the Matter of

DIRECTOR, DEPARTMENT OF LABOR
AND INDUSTRIAL RELATIONS,

Complainant,

and

COLOR DYNAMICS INC.,

Respondent.

CASE NO. OSH 2014-9

ORDER NO. 565

ORDER GRANTING RESPONDENT
COLOR DYNAMIC, INC.'S MOTION
TO RESCHEDULE CONFERENCE
DATE; NOTICE OF RESCHEDULED
INITIAL CONFERENCE/
SETTLEMENT CONFERENCE

ORDER GRANTING RESPONDENT COLOR DYNAMIC, INC.'S MOTION TO RESCHEDULE
CONFERENCE DATE; NOTICE OF RESCHEDULED INITIAL CONFERENCE/SETTLEMENT
CONFERENCE

On February 13, 2014, counsel for COLOR DYNAMICS, INC. (Respondent or Color Dynamics) filed a Notice of Contest, to contest the citation, notice of proposed penalty and abatement requirements issued in connection with Inspection No. 316271956 by the State of Hawaii, Department of Labor and Industrial Relations, Hawaii Occupational Safety and Health Division (HIOSH). On March 10, 2014, the Hawaii Labor Relations Board (Board) issued a Notice of Initial Conference/Settlement Conference (Conference) to be conducted at the Board on April 4, 2014.

On March 27, 2014, Respondent filed Respondent Color Dynamic, Inc.'s Motion to Reschedule Conference Date (Motion). Counsel for Respondent requested that the Board reschedule the Conference from April 4, 2014 to a date and time after April 7, 2014 or after DIRECTOR, DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS (Complainant or Director) provides Respondent's legal counsel a copy of the investigative file, whichever is later. By declaration attached to Respondent's Motion, counsel for Respondent stated that he will be out of town until April 8, 2014, and that Complainant's counsel has no objection to Respondent's request to reschedule to Conference. df Counsel further stated that (as of March 27, 2014), the Director had not provided Respondent's counsel with a copy of the investigative report in this matter.

Pursuant to Respondent's request, which Complainant does not oppose, and for the reasons stated in Respondent's counsel's declaration, the Board grants Respondent's Motion.

ORDER

In accordance with the foregoing, the Board GRANTS Respondent Color Dynamic, Inc.'s Motion to Reschedule Conference Date filed March 27, 2014.

NOTICE OF RESCHEDULED INITIAL CONFERENCE/SETTLEMENT CONFERENCE

NOTICE IS HEREBY GIVEN that the Board will conduct an initial conference/settlement conference in the above-entitled case on **April 14, 2014 at 9:00 a.m.** in the Board's hearing room, Room 434, 830 Punchbowl Street, Honolulu, Hawaii.

Please refer to the Board's March 10, 2014 Notice of Initial Conference/Settlement Conference previously sent to the parties which provides necessary information regarding Board Initial Conferences. Please note that the appealing party's failure to attend the rescheduled initial conference/settlement conference may be ground for dismissal of the Appeal.

Complainant is reminded to provide Respondent's counsel with a copy of its investigative report without delay prior to the rescheduled April 14, 2014 Conference.

DATED: Honolulu, Hawaii, March 31, 2014.

HAWAII LABOR RELATIONS BOARD



JAMES B. NICHOLSON, Chair



ROCK B. LEY, Member

NOTICE TO EMPLOYER

You are required to post a copy of this notice at or near where citations under the Hawaii Occupational Safety and Health Law are posted at least five working days prior to the conference date. Further, you are required to furnish a copy of this notice to a duly recognized representative of the employees at least five working days prior to the conference date.

Copies sent to:
Jeffrey S. Harris, Esq.
Frances Lum, Deputy Attorney General
Diantha Goo, HIOSH