



STATE OF HAWAII

**EFiled: Oct 08 2014 01:00PM HAST**  
**Transaction ID 56166786**  
**Case No. OSH 2014-30**

HAWAII LABOR RELATIONS BOARD

In the Matter of

DIRECTOR, DEPARTMENT OF LABOR  
AND INDUSTRIAL RELATIONS,

Complainant,

and

RHS LEE, INC,

Respondent.

CASE NO. OSH 2014-30

ORDER NO. 613

ORDER GRANTING COMPLAINANT'S  
MOTION TO DISMISS

ORDER GRANTING COMPLAINANT'S MOTION TO DISMISS

After an inspection (Inspection No. 317669067) conducted on July 8, 2014 and July 9, 2014 at 94-223 Farrington Highway, Waipahu, Hawaii, the State of Hawaii, Department of Labor and Industrial Relations, Hawaii Occupational Safety and Health Division (HIOSH) issued a Citation and Notification of Penalty to RHS LEE, INC. and its successors of 96-1414 Waihono Place, Pearl City, Hawaii on July 31, 2014. For the citation (Citation 1 Item 1), type serious, HIOSH assessed a penalty of \$770.00.

By a letter dated August 14, 2014 filed at HIOSH' office on August 18, 2014, Karen K. Lee (Ms. Lee), Vice President of RHS Lee, Inc. (Respondent) contested the citation and penalty issued pursuant to Inspection No. 31766907. On September 4, 2014, the HIOSH administrator transmitted the contested case to the Hawaii Labor Relations Board (Board). On September 9, 2014, the Board issued a Notice of Initial

Conference/Settlement Conference (Initial Conference) informing the parties that a conference was scheduled to be held on October 3, 2014.

By letter to HIOSH dated September 15, 2014, Ms. Lee requested that HIOSH “cancel our letter” dated August 14, 2014 contesting the citation and penalties because RH Lee, Inc. was requesting an informal conference. With the September 15, 2014 letter, Ms. Lee enclosed a check in the amount of \$770.00 for the penalty assessed by HIOSH.

By letter to the Board dated September 17, 2014, counsel for the Director of Labor and Industrial Relations (Director) confirmed that Respondent had paid the full amount of the proposed penalty to HIOSH, evincing Respondent’s intent to accept the July 31, 2014 Citation and Notification of Penalty. The Director requested that the Board issue a dismissal of the contested case.

At the Board’s initial conference on October 3, 2014, attended by counsel for the Director and Ms. Lee (by conference call), counsel for the Director made an oral motion to dismiss the matter before the Board. On behalf of Respondent, Ms. Lee stated that she agreed with the Director that the Board should dismiss this matter.

ORDER

In accordance with the foregoing, the Board GRANTS Complainant's Oral Motion to Dismiss presented to the Board at the initial conference on October 3, 2014.

This case is closed.

DATED: Honolulu, Hawaii, October 8, 2014.

HAWAII LABOR RELATIONS BOARD



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JAMES B. NICHOLSON, Chair



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SESNITA A.D. MOEPONO, Member



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ROCK B. LEY, Member

Copies sent to:

Karen K. Lee, Vice President  
Herbert Lau, Deputy Attorney General