



**EFiled: Nov 30 2016 09:52AM HAST**  
**Transaction ID 59891366**  
**Case No. OSH 2016-27**

STATE OF HAWAII

HAWAII LABOR RELATIONS BOARD

In the Matter of

DIRECTOR, DEPARTMENT OF LABOR  
AND INDUSTRIAL RELATIONS,

Complainant,

and

GATEWAY MANAGEMENT COMPANY,  
dba WAIKIKI GATEWAY HOTEL,

Respondent.

CASE NO.: OSH 2016-27

ORDER NO.: 845

ORDER DISMISSING CONTEST AND  
CLOSING CASE

ORDER DISMISSING CONTEST AND CLOSING CASE

On November 14, 2016, a prehearing was held in this matter before the Hawaii Labor Relations Board (Board), with counsel for Appellant DIRECTOR, DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS (Appellant or DLIR) present. Although proper notice of the prehearing conference was given to Respondent GATEWAY MANAGEMENT COMPANY, DBA WAIKIKI GATEWAY HOTEL (Respondent), no representative appeared at the prehearing conference on Respondent's behalf.

In light of Respondent's failure to appear at the prehearing conference, on November 15, 2016, the Board issued a NOTICE OF INTENT TO DISMISS WITH PREJUDICE, providing the parties with notice of the Board's intent to dismiss with prejudice Respondent's contest of the Citation and Notification of Penalty at issue in this case, unless Respondent provided in writing to the Board on or before the close of business on November 23, 2016, an explanation as to why this matter should not be dismissed and why Respondent failed to appear at the prehearing conference.


Respondent did not provide the required explanation to the Board by the November 23, 2016, deadline. Accordingly, the Board hereby DISMISSES WITH PREJUDICE

Respondent's contest of the Citation and Notification of Penalty issued on May 17, 2016 (resulting from Inspection No. 1122599). This matter is now closed.

DATED: Honolulu, Hawaii, November 30, 2016.

HAWAII LABOR RELATIONS BOARD



  
KERRY M. KOMATSUBARA, Chair

  
SESNITA A.D. MOEPONO, Member

  
J.N. MUSTO, Member

NOTICE TO EMPLOYER

You are required to post a copy of this Order at or near where citations under the Hawaii Occupational Safety and Health Law are posted for at least five working days upon receipt. Further, you are required to furnish a copy of this notice to any duly recognized representative of Respondent's employees within five working after receipt.

Copy: Brian K. Taylor, Operations Manager for Respondent  
Herbert B.K. Lau, Deputy Attorney General

Case No. OSH 2016-27 – Director, DLIR v. Gateway Management Company, dba Waikiki Gateway Hotel – Order Dismissing Contest and Closing Case.

Order No.:845