

STATE OF HAWAI'I

HAWAI'I LABOR RELATIONS BOARD

In the Matter of

HAWAI'I LABOR RELATIONS' BOARD'S
RESPONSE TO COVID-19 OUTBREAK

ORDER NO. 3605

SECOND EMERGENCY ORDER
REGARDING ALL PROCEEDINGS
BEFORE THE HAWAI'I LABOR
RELATIONS BOARD

SECOND EMERGENCY ORDER REGARDING
ALL PROCEEDINGS BEFORE THE HAWAI'I LABOR RELATIONS BOARD

Due to the current concerns regarding COVID-19, the Governor of the State of Hawai'i (Governor) issued an Emergency Proclamation on March 5, 2020, a Supplementary Emergency Proclamation on March 16, 2020, a Second Supplemental Proclamation on March 21, 2020, a Third Supplementary Proclamation on March 23, 2020, a Fourth Supplementary Proclamation on March 31, 2020, a Fifth Supplementary Proclamation on April 17, 2020, a Sixth Supplementary Proclamation on April 25, 2020, a Seventh Supplementary Proclamation on May 5, 2020, and an Eighth Supplementary Proclamation on May 18, 2020. These proclamations, among other things, gave agencies the ability to conduct certain hearings by telephone or video conference without the physical presence of the parties at the same location, and suspend certain rules, statutory requirements, and administrative hearing procedures as needed to deal with the emergency situation brought on by COVID-19.

On March 23, 2020, the Hawai'i Labor Relations Board (Board) issued Order No. 3595, Emergency Order Regarding All Proceedings Before the Hawai'i Labor Relations Board. Order No. 3595, among other things, stated that cases are assumed not to be a "Priority", unless the Board specifically makes such a finding and that in all cases that are not designated "Priority" cases, all filing or other deadlines are hereby suspended until rescheduled by the Board.

Also on March 23, 2020, in the Governor's Third Supplementary Proclamation, the Governor, among other things, ordered that all persons in the state must stay at home or in their place of residence from March 25, 2020 at 12:01 a.m. through 11:59 p.m. on April 30, 2020, and that all workers should work remotely, except to the extent that essential businesses or operations

cannot be conducted through remote technology. The Governor extended this stay at home order through May 31, 2020 in the Sixth Supplementary Proclamation.

The Governor's Seventh Supplementary Proclamation, among other things, modifies the stay at home order to allow additional businesses to operate, but otherwise continues the directive that workers should work remotely except to the extent that essential or designated businesses or operations cannot be conducted through remote technology. The Governor's Eighth Supplementary Proclamation, among other things extends this stay at home order through June 30, 2020.

Accordingly, the Board makes the following order:

ORDER

All filings in all cases before the Board during the emergency period **must be made electronically through the Board's filing service FileandServeXpress (FSX)**, unless otherwise ordered by the Board. There is no charge to the parties for use of this electronic filing service. Should any party not have access to the Internet, or for any other concerns or complications, please contact the Board via electronic mail or (808) 586-8616.

To register, a party is required to complete and submit the Board Agreement to E-File (Form HLRB-25), as amended, which is available at <http://labor.hawaii.gov/hlrb/forms/>.

Questions regarding the Board's electronic filing system should be directed to the Board's staff at (808) 586-8616.

DATED: Honolulu, Hawai'i, _____ May 18, 2020 _____.

HAWAI'I LABOR RELATIONS BOARD



Thomas R. Oshiro

THOMAS R. OSHIRO, Chair

Janita A. D. Moepono

JANITA A.D. MOEPONO, Member

J.N. Musto

J.N. MUSTO, Member