

LIRAB Annual Report

Fiscal Year 2018

Overview

The Labor & Industrial Relations Appeals Board (LIRAB) is a quasi-judicial agency that is attached to the Department of Labor & Industrial Relations (DLIR) for administrative and budgetary purposes only. LIRAB adjudicates appeals from decisions rendered by the Director of Labor & Industrial Relations (Director) via the Disability Compensation Division relating to workers' compensation matters (Chapter 386, Hawaii Revised Statutes) and decisions rendered by the Director relating to the Boiler and Elevator Safety Law (Chapter 397, Hawaii Revised Statutes). Proceedings before LIRAB are subject to Chapter 91 of the Hawaii Administrative Procedures Act and other applicable administrative rules and laws.

Program Objective

LIRAB's program objective is to provide prompt, just and efficient adjudication of appeals from decisions of the Director of Labor & Industrial Relations relating to Workers' Compensation and Boiler and Elevator Safety.

LIRAB Members

LIRAB comprises two Board Members and one Chairperson who are appointed by the Governor of the State of Hawaii and confirmed by the Hawaii State Senate for 10-year terms. The Chairperson is required by law to be an attorney licensed to practice in all of the courts of this State.

LIRAB Staff

LIRAB is supported by a staff of 7: Executive Officer, Hearings Officer, Staff Attorney, Researcher, Chief Clerk, Secretary, and Office Assistant.

LIRAB ACTIVITIES for FY 2018

Workers' Compensation Cases	
New LIRAB appeals received in FY 2018	401
Cases disposed of or closed by settlement, dismissal, Decision and Order, or other means in FY 2018	415
Cases pending as of June 30, 2018	404
Pre-hearing conferences (initial, settlement and status conferences) held in FY 2018	692

Motions/Orders to Show Cause /Oral Arguments heard in FY 2018	210
Trials held in FY 2018	81
Percentage of appeals resolved within 15 months of receipt in FY 2018	62%
Percentage of appeals upheld by appellate court in FY 2018	96%
Number of cases awaiting written decision and order in FY 2018	55
Boiler & Elevator Safety Cases	
Cases pending as of June 2018	0
New appeals filed during FY 2018	1

LIRAB FY 2018 Highlights

- LIRAB continues to successfully implement and maintain its electronic document management system to scan and index paper case files as part of its goal to move to a digitized and paperless office.
- LIRAB, in collaboration with DLIR-Disability Compensation Division, finalized the documentation of its workflow and business processes in preparation for a multi-year modernization project to automate the State's workers' compensation system.

LIRAB FY 2018 Challenges

- Although 62% of appeals resolved in FY 2018 were resolved within 15 months of receipt of the appeal, the turnaround time for the remaining 38% took more than 15 months. For those appeals within the 38%, many were awaiting a written decision and order. In FY 2017, cases awaiting a written decision and order took an average of 27 months to resolve. In FY 2018, cases awaiting a written decision and order took an average of 29 months to resolve. To reduce the wait time for a written decision and order, LIRAB will be seeking funding for positions in FY 2019 for more legal staff to help write decisions.

