

LABOR AND INDUSTRIAL RELATIONS APPEALS BOARD

STATE OF HAWAII

RELATING TO )  
 )  
 OPERATIONS OF THE LABOR )  
 AND INDUSTRIAL RELATIONS )  
 APPEALS BOARD WHILE THE )  
 COVID-19 EMERGENCY )  
 PROCLAMATIONS ARE IN )  
 EFFECT. )  
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FILED  
 LIR APPEALS BOARD  
 STATE OF HAWAII

20 MAR 18 P 4:54

ORDER #2

On March 4, 2020, Governor David Y. Ige issued a Proclamation that identified an Emergency Period related to the COVID-19 virus. He declared the disaster emergency relief period to be until April 29, 2020, or by a separate proclamation, whichever occurs first.

On March 16, 2020, he issued a Supplementary Proclamation. The Governor extended the disaster emergency relief period through May 15, 2020, unless terminated by a separate proclamation, whichever shall occur first. In relevant part, the Supplementary Proclamation invoked Sections 127A-12 and 127A-13, HRS, and suspended Chapter 91, HRS,

... to the extent necessary such that, at the sole discretion of the department or agency, any administrative hearing may be conducted by telephone or video conference without the parties, department, or agency, being physically present in the same location; any deadlines may be waived or suspended; and any administrative hearing procedures, such as, but not limited to, conferences, filing of documents, or service, may be done via telephone or email.

On March 17, 2020, the Governor further announced actions to slow the spread of COVID-19.

In connection with the foregoing, the building housing the Board has also been closed.

NOW, THEREFORE, being fully apprised in the premises,

The BOARD HEREBY ORDERS the following:

1. Deadlines for filing with the Board, pursuant to Hawaii Administrative Rules Title 12, Subtitle 7, Chapter 47, or by order of the Board<sup>1</sup>, that fall from March 17, 2020 through last day of the disaster emergency relief period related to COVID-19, are suspended. Filings submitted to the Board within 10 days after the last day of the disaster emergency relief period will be deemed timely filed.
2. All conferences, hearings, and trials scheduled during the same period are also suspended. After the last day of the disaster emergency relief period, the Board will make efforts to reschedule the suspended conferences, hearings, and trials.
3. During this period of suspension, parties may file motions requiring immediate attention for the Board's consideration, pursuant to Order #1, filed March 17, 2020. The Board will consider the motions on a case-by-case basis and make

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<sup>1</sup> This suspension does not apply to filing deadlines set forth in Chapters 386 and 397, HRS.

attempts to work with the parties to address the emergency motions. The procedures herein and in Order #1 may be modified as necessary to address such motions.

This order is subject to further amendment by the Board.

Dated: Honolulu, Hawaii,

MAR 18 2020

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DANNY J. VASCONCELLOS, Chair

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MELANIE S. MATSUI, Member

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MARIE C.L. LADERTA, Member

LABOR APPEALS BOARD - 830 PUNCHBOWL ST, RM 404, HONOLULU, HI 96813 - (808)586-8600  
email: [dlir.appealsboard@hawaii.gov](mailto:dlir.appealsboard@hawaii.gov)

If you require a language interpreter or if you require a reasonable accommodation for a disability, in accordance with the Americans with Disabilities Act or other applicable state and federal laws, please contact the Board at (808) 586-8600 at least ten (10) business days prior to your hearing or conference date.

Equal Opportunity Employer/Program  
Auxiliary aids and services are available  
upon request to individuals with disabilities.  
TDD/TTY Dial 711 then ask for (808) 586-8866

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Relating to Operations of the Labor and Industrial Relations Appeals Board  
While the Covid-19 Emergency Proclamations are In Effect; Order #2