

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.)
 _____)

FILED
 LABOR AND INDUSTRIAL RELATIONS BOARD
 STATE OF HAWAII

20 MAR 17 P 2:03

ORDER #1

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.

NOW, THEREFORE, being fully apprised in the premises,

IT IS HEREBY ORDERED that starting immediately and continuing through the last day of the disaster emergency relief period related to COVID-19, parties may file documents with the Board by the following means:

1. Personally or, unless otherwise provided by law, by first class mail (traditional means); or
2. By facsimile to (808) 586-8599 (fax); or
3. Secure/encrypted e-mail to dlir.appealsboard@hawaii.gov (e-mail).

The Board may, at its discretion, utilize traditional means, fax, or e-mail to serve decisions, orders, notices, and other documents issued by the Board, as well as any other documents that the Board is required to serve.

For documents filed by fax or email, the filing date and time will be as noted by the filing stamp affixed by the Board during the regular hours of the Board, and assuming the filing deadlines are not otherwise suspended.

In the event the Board's office closes due to COVID-19, the Board will only accept e-mail filings. In this situation, the filing date and time will be as noted on the Board's receipt of the e-mail, provided it is between 7:45 a.m. – 4:30 p.m., Monday through Friday except official state holidays (working day). If received outside of these hours, the filing date and time will be construed as 7:45 a.m., the next working day.

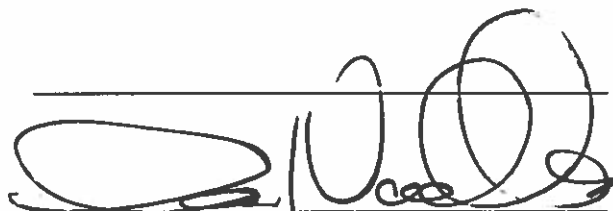
Documents filed by fax or e-mail must include the filing party's fax number and/or email address. If a party files a document by fax or e-mail, the Board will transmit a file stamped copy of the first page, by the same means of filing, to the fax number or e-mail address stated on the filed document. The

filing party is responsible to serve a copy of the file-stamped first page to the remaining parties.

Parties who want to use fax or e-mail filing should submit their relevant contact and case information to the Board.

These methods of filing and service may be implemented immediately and continue through the last day of disaster emergency relief period related to COVID-19, whereupon the parties shall automatically revert to traditional means of filing and service only. The Board may amend this order as necessary.

Dated: Honolulu, Hawaii,



DANNY J. VASCONCELLOS, Chair



MELANIE S. MATSUI, Member



MARIE C.L. LADERTA, Member

LABOR APPEALS BOARD - 830 PUNCHBOWL ST, RM 404, HONOLULU, HI 96813 - (808)586-8600
email: 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

Relating to Operations of the Labor and Industrial Relations Appeals Board While the Covid-19
Emergency Proclamations are In Effect; Order #1