

LABOR AND INDUSTRIAL RELATIONS APPEALS BOARD

STATE OF HAWAII

In the Matter of )  
)  
PROCEEDINGS BEFORE THE )  
LABOR AND INDUSTRIAL )  
RELATIONS APPEALS BOARD. )  
\_\_\_\_\_ )

Sep 29 2021, 11:45 am  
**FILED**<sub>AKV</sub>  
Labor and Industrial Relations  
Appeals Board

ADMINISTRATIVE ORDER 2021-02  
(Interactive Conference Technology)

This Administrative Order supplements the Labor and Industrial Relations Appeals Board's June 29, 2021 Administrative Order 2021-01, relating to proceedings before the Labor and Industrial Relations Appeals Board.

WHEREAS, on July 2, 2021, Governor David Y. Ige signed SB873 SD1 HD1 CD1 into law as Act 168, regarding the use of interactive conference technology.

WHEREAS, the use of the Microsoft Teams platform has proven effective for conferences, hearings, and trials during the COVID 19 pandemic emergency pursuant to the emergency proclamations of the Governor.

WHEREAS, the Microsoft Teams platform facilitates interaction among the Board and appearing parties, counsel, and witnesses, provides a clearer recording and accommodates participation by teleconference, videoconference, and VoIP.

WHEREAS, the Board's use of interactive conference technology also provides a convenient and cost-efficient way for participants to appear before the Board by providing the flexibility in the method of communication (videoconference, audioconference, or teleconference), eliminating the necessity to travel to the Board for an in-person appearance and allowing participants to appear from comfortable and familiar locations.

WHEREAS, upon request, the Board provided and continues to provide assistance on the use of the Microsoft Teams platform for appearances through practice sessions and troubleshooting.

NOW THEREFORE, THE BOARD HEREBY ORDERS the following, effective October 1, 2021:

Interactive Conference Technology for Conferences, Hearings, & Trials

1. Unless otherwise ordered by the Board, interactive conference technology – specifically, the Microsoft Teams platform - will be used as the primary method of appearances for all parties and their respective participants (such as a witness) at all conferences, hearings, and trials.

2. For each proceeding, the Board will email the parties and their respective participants a calendar invitation with a hyperlink to the event.

3. Contact the Board immediately if any of the email(s) included in the notice(s) and/or order(s) of conference(s), hearing(s), or trial(s) is incorrect or if the calendar invitations are not received within one week of the date of the notice of conference(s), hearing(s), or trial(s).

4. The Board will not send a calendar invitation to those parties and their respective participants for whom the Board does not have an email address.

5. If a party wishes to receive an emailed calendar invitation, they must provide the Board with their email address at least two business days before the conference, hearing, or trial. Additionally, a party is responsible to provide the Board with the email address(es) of any participant(s) at least two business days before the conference, hearing, or trial.

6. Barring unforeseen circumstances, all parties and their respective participants who were provided with a hyperlink are expected to utilize the hyperlink in the invitation.

7. A party who desires to be present at the Board's office must request permission from the Board to do so by filing their own written motion.

8. Upon written motion and for good cause shown, or at the Board's discretion, the Board may approve a request by a party that they and/or their respective participants be allowed to be present at the Board's office.

9. The Board's approval of a party's request to be present at the Board's offices does not extend to or require any other party and/or their respective participants to be present at the Board's office.

10. The Board's approval of a party's request to be present at the Board's office may include participation on the Board's premises using interactive conference technology provided by the Board.

11. The Board is not obligated to compel the presence of any participant, witness, interpreter, or party at its office. The presence of the Board Members at the Board's office is at the sole discretion of each Board Member.

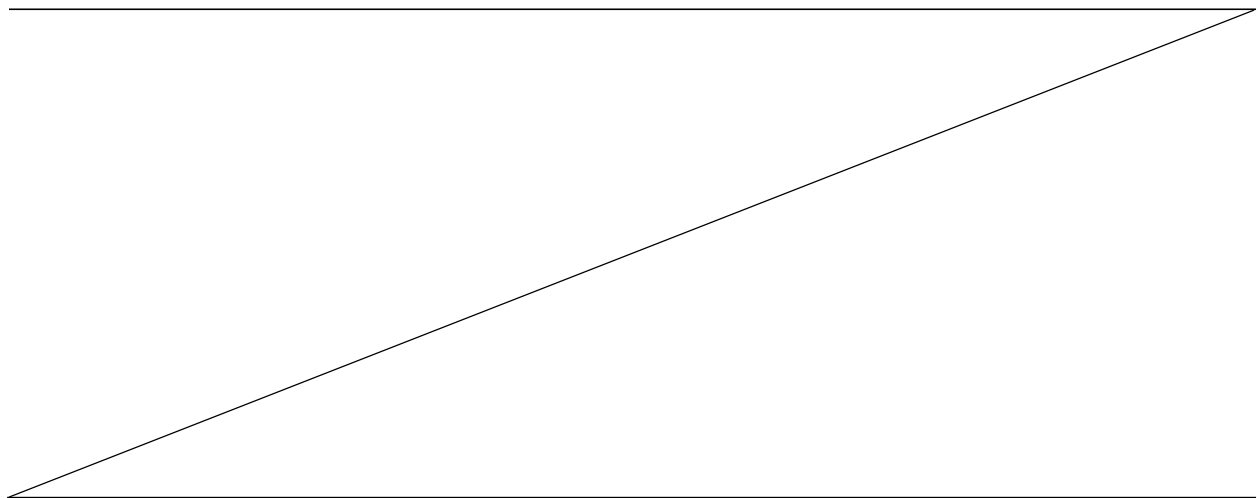
12. The Board will deny stipulations which exempt parties from appearing via interactive conference technology.

13. In order to minimize interruptions that may be caused by technical complications associated with the use of interactive conference technology, parties should take note of the telephone number and conference number for each scheduled appearance before the Board and use the teleconference option after videoconference and audioconference methods of communication prove unavailable or unsuccessful.

14. To ensure the privacy and propriety of conferences, hearings, and trials before the Board, do not share or forward any electronic meeting invitations, conference telephone number, and/or conference ID numbers.

15. Unless otherwise rescheduled by the Board, conferences, hearings, or trials will proceed as scheduled, even if an invited party and/or respective participants declines the electronic meeting invitation.

16. The Orders contained herein are subject to amendment or modification by the Board.



Dated: Honolulu, Hawaii,

September 29, 2021

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DAMIEN A. ELEFANTE, 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

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) 586-8600

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In the Matter of PROCEEDINGS BEFORE THE LABOR AND INDUSTRIAL  
RELATIONS APPEALS BOARD; Administrative Order 2021-02 (Interactive  
Conference Technology)