

LABOR AND INDUSTRIAL RELATIONS APPEALS BOARD  
STATE OF HAWAI'I

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

Jan 30 2024, 3:05 pm  
**FILED** akw  
Labor and Industrial Relations  
Appeals Board

ADMINISTRATIVE ORDER 2024-01  
(In-Person Appearances and Interactive Conference Technology)

The purpose of this Administrative Order is to update matters concerning in-person appearances before the Labor and Industrial Relations Appeals Board and revise the processes regarding the use of interactive conference technology at the Labor and Industrial Relations Appeals Board.

This administrative order supersedes the Labor and Industrial Relations Appeals Board's Administrative Order 2023-01, entered July 7, 2023.

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, the Board's use of interactive conference technology, specifically the Microsoft Teams platform, was effective for conferences, hearings, and trials during the COVID-19 pandemic emergency pursuant to the emergency proclamations of Governor Ige.

WHEREAS, the Board recognizes that other State agencies have returned to and/or are requiring in-person hearings and/or appearances.

WHEREAS, Hawaii Revised Statutes, Section 91-9(c), permits the use of interactive conference technology.

WHEREAS, the Board recognizes that parties may prefer to appear in-person before the Board for purposes of conferences, hearings, and/or trials.

NOW THEREFORE, THE BOARD HEREBY ORDERS the following, effective January 30, 2024:

In-Person Appearances for Trials:  
Oahu Claimants or Honolulu DCD Cases

1. Unless otherwise noticed by the Board and effective September 16, 2024, all **trials** before the Board involving claimants whose last known residence is on Oahu or whose workers' compensation claim was adjudicated by the Disability Compensation Division's Honolulu office will be **in-person** and will be conducted at the Board's office located at 830 Punchbowl Street, Room 404, Honolulu, Hawaii 96813. **In-person** appearances will be used as the primary method of appearances for all parties and their respective participants (e.g., witnesses) for all trials.

2. A party who desires to utilize interactive conference technology for a trial, whether for themselves and/or their witness(es), must present their request via a motion that comports with Section 12-47-32, Hawaii Administrative Rules, Board Rules of Practice and Procedure.

Use of Interactive Conference Technology for Trials:  
Non-Oahu Claimants or Non-Honolulu DCD Cases

3. Unless otherwise noticed by the Board, **interactive conference technology**, specifically, the Microsoft Teams platform, will continue to be used as the primary method of appearances for all parties and their respective participants (e.g., witnesses) at all **trials** involving claimants whose last known residence is not on the island of Oahu or whose workers' compensation claim was not adjudicated by the Disability Compensation Division's Honolulu office.

Use of Interactive Conference Technology for  
Motion Hearings and Conferences

4. Unless otherwise noticed 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 (e.g., witnesses) at all **hearings on motions and conferences**, including but not limited to, **initial conferences, status conferences, and settlement conferences**, for all cases.

Practices and Procedures re: Interactive Conference Technology

5. For each proceeding where interactive conference technology is utilized by the Board, the Board will email the parties and

their respective participants a calendar invitation with a hyperlink to the event.

6. Parties are to immediately contact the Board if any of the emails included in the notice(s) and/or order(s) of conference(s), hearing(s), and/or trial(s) is incorrect or if the calendar invitations, including hyperlinks, are not received within one week of the date of the notice(s) or order(s) of conference(s), hearing(s), or trial(s).

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

8. If a party wishes to receive an emailed calendar invitation, they must provide the Board with their email address at least two (2) business days before the conference, hearing, and/or trial. Additionally, a party is responsible to provide the Board with the email address(es) of any participant(s), at least two (2) business days before the conference, hearing, and/or trial.

9. Barring unforeseen circumstances, all parties and their respective participants who were provided with a hyperlink are expected to utilize the hyperlink or dial into the event utilizing the conference telephone number and Teams "Phone Conference ID" number, in order to participate in the associated conference, hearing, and/or trial.

In-Person Appearances for Conferences, Hearings, and/or Trials Originally Scheduled as Interactive Conference Technology Events

10. A party who desires to be present (i.e., in-person) at the Board's office for the purpose of participating in a conference, hearing, and/or trial that was otherwise or originally scheduled as an interactive conference technology event must notify the Board of their desire to appear in-person. Notification may be made orally or in writing. The party wishing to appear in-person for the purpose of participating in a conference, hearing, and/or trial must notify the Board at least three (3) business days before the conference, hearing, and/or trial.

11. The Board will make every effort to accommodate a party's request for an in-person conference, hearing, and/or trial at the originally scheduled date and time of the conference, hearing, and/or trial. However, the Board reserves its right to reschedule the conference, hearing, and/or trial.

12. The Board's notice and confirmation of a party's in-person appearance for a conference, hearing, and/or trial does not

require any other party and/or their respective participants to be present at the Board's office.

13. The Board's notice and confirmation of a party's in-person appearance for a conference, hearing, and/or trial may include that party's participation on the Board's premises using interactive conference technology provided by the Board.

14. The Board's notice and confirmation of a party's in-person appearance for a conference, hearing, and/or trial does not require the physical presence of any participant, witness, interpreter, party, Board Member, or Board staff at its office.

15. The Board is not obligated to compel the physical presence of any participant, witness, interpreter, party, Board Member, or Board staff at its office.

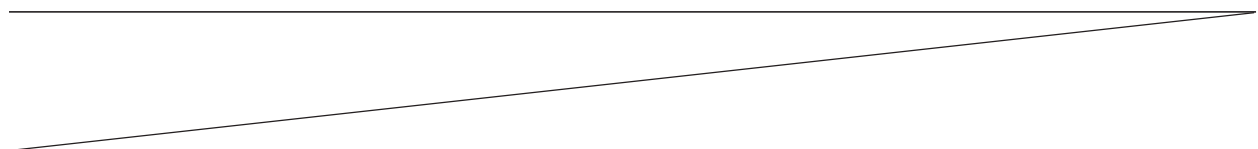
16. The physical presence of the Board Members or Board staff, if any, at the Board's office is at the sole discretion of each Board Member or Board staff.

17. 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 phone conference identification number for each scheduled appearance before the Board and use the teleconference option if videoconference and audioconference methods of communication prove unavailable or unsuccessful.

18. 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 phone conference identification numbers.

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

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



Dated: Honolulu, Hawaii,

Jan 30 2024

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DAMIEN A. ELEFANTE, Chair



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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 need a language interpreter or if you need an auxiliary aid/service or other accommodation due to a disability, please contact the Board at (808) 586-8600 and/or [dlir.appealsboard@hawaii.gov](mailto:dlir.appealsboard@hawaii.gov) as soon as possible, preferably at least ten (10) business days prior to your hearing or conference date. Requests made as early as possible have a greater likelihood of being fulfilled. If a request is received after the reply date, the Board will try to obtain the interpreter, auxiliary aid/service, or accommodation, but the Board cannot guarantee that the request will be fulfilled.

Upon request, this notice is available in alternate/accessible formats such as large print, Braille, or electronic copy.

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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