

LIRAB Annual Report
Fiscal Year 2021
July 1, 2020 – June 30, 2021

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 three Board Members, one of whom is the Chairperson, who are appointed by the Governor of the State of Hawaii and confirmed by the Hawaii State Senate. The Chairperson is required by law to be an attorney licensed to practice in all of the courts of this State.

LIRAB Staff

The three-member Board is supported by a staff of 7: Executive Officer, Hearings Officer, Staff Attorney, Researcher, Chief Clerk, Secretary, and Office Assistant.

LIRAB ACTIVITIES for FY 2021

Workers’ Compensation Cases	
New LIRAB appeals received in FY 2021	243

Cases disposed of or closed by settlement, dismissal, Decision and Order, or other means in FY 2021	225
Cases pending as of June 30, 2021	367
Pre-hearing conferences (initial, settlement and status conferences) held in FY 2021	851
Motions/Orders to Show Cause /Oral Arguments heard in FY 2021	88
Trials held in FY 2021	62
Percentage of appeals resolved within 15 months of receipt in FY 2021	68%
Decisions and Orders Issued	46
Number of cases awaiting written decision and order in FY 2021	88
Boiler & Elevator Safety Cases	
Cases pending as of June 2021	0
New appeals filed during FY 2021	0

LIRAB FY 2021 Accomplishments and Challenges

- LIRAB continues to partner with DLIR-Disability Compensation Division on a multi-phase modernization project to digitally transform the Workers’ Compensation system from a paper-based system to an electronic one. The implementation to electronic based filing and operations will have a positive impact on injured workers, employers, and insurance carriers when claims and appeals of benefit awards can be processed more efficiently.

- The COVID pandemic upended LIRAB operations beginning March 2020. To safeguard the health and safety of its employees and stakeholders and to be fully compliant with health policies established by the State in its efforts to curtail the spread of COVID, LIRAB actively implemented business process telework technology that allowed the office to continue vital operations by conducting business remotely. Throughout Fiscal Year 2021, LIRAB maintained 100% telework capability, utilized telephonic and videoconferencing appearances for its conferences and hearings, and developed an appointment system to safely manage in-person visitors. With this new electronic venue and the added convenience conferred upon its stakeholders, LIRAB developed policies and issued Administrative Orders regarding the electronic filing and transmission of documents, to extend beyond the expiration of the Governor’s Emergency Orders. Due to the rapidly evolving COVID public health threat, LIRAB kept the public and its stakeholders informed with timely and frequent postings of its Administrative Orders and notices on its home webpage.

- Due to the COVID public health emergency, a significant number of conferences and trials were postponed and rescheduled. The cancellation and rescheduling of numerous matters and the lost time from the weeks of mandated shutdowns and building closures have caused a backlog and increased the time to resolve cases. Also, during Fiscal Year 2021, two of the Board's support staff retired. The challenge for the Board in the months ahead is to fill the vacant positions, continue to tackle the pandemic-related backlog, and address an anticipated increase in caseload as the economy reopens and recovers.