On November 29, 2021, Governor David Y. Ige issued an Emergency Proclamation, which continued the suspension of Hawai‘i Revised Statutes (HRS) Chapter 92, relating to Public Agency Meetings and Records (also known as the Sunshine Law) as it pertained to the COVID 19 Response. HRS Chapter 92 was suspended to the extent necessary to enable boards to conduct business in-person or through remote technology without any board members or members of the public physically present in the same location. In addition, on December 29, 2021, Governor Ige issued a proclamation suspending HRS 92-3.7 to suspend the requirement to have at least one meeting location that is open to the public.

Meetings of the Civil Service Commission will be conducted as follows until further notice:

- Meetings will be publicly noticed pursuant to HRS Chapter 92.
- In-person meetings will be closed to the public to be consistent with social distancing practices.
- Civil Service Commissioners, Department and/or Boards and Commission Staff, parties to agenda items, and resource individuals may appear via the Microsoft Teams remote technology.
- If any major and insurmountable technical difficulties are encountered during the meetings, the Civil Service Commission will continue all matters and reconvene at the next scheduled Civil Service Commission meeting.
- Minutes of meetings will be completed pursuant to HRS Chapter 92 and posted to the Civil Service Commission’s website upon completion and approval.

Public Comments and Testimony:

- **Written testimony.** The Civil Service Commission will accept written testimony for any agenda item herein. Written testimony indicating your 1) name, and if applicable, your position/title and organization you are representing, 2) the agenda item that you are providing comment on, and 3) contact information (telephone number and email address), may be submitted to smuragin@kauai.gov or mailed to the Civil Service Commission, c/o Office of Boards and Commission, 4444 Rice Street, Suite 300, Lihue, Hawaii 96766. Written testimony received by the Civil Service Commission at least 24 hours prior to the meeting will be distributed to all Civil Service Commissioners prior to the meeting. Any testimony received after this time will be distributed to the Clerk of the Commission during the meeting and added to the record thereafter. Any late testimony received will be distributed to the members after the meeting concluded.

- **Oral testimony** will be taken during the public testimony portion of the meeting via Microsoft Teams remote technology platform.
  - Anyone interested in providing oral testimony must register at least 24 hours prior to the meeting by emailing smuragin@kauai.gov or calling (808) 241-4913. Any request to register shall include your 1) name, and if applicable, your position/title and organization you are representing, and 2) the agenda item that you are providing comment on, and 3) contact information (telephone number and email address).
  - If unable to join the meeting through the Microsoft Teams link provided on the posted agenda, they may provide their testimony in writing. In addition, it shall be the responsibility of the testifier to ensure that the Microsoft Teams software is downloaded and operational prior to the meeting.
  - The testifier’s audio and video shall be disabled until it is their turn to testify.
  - The Civil Service Commission’s and Chairs practice, there is a three-minute time limit per testifier.
  - Individuals who have not registered to provide testimony will be given an opportunity to speak on an agenda item following the registered speakers.
  - If there are temporary technical glitches during your turn to testify, we may have to move on to the next person due to time constraints; we appreciate your understanding.

SPECIAL ASSISTANCE

IF YOU NEED AN AUXILIARY AID/SERVICE, OTHER ACCOMMODATION DUE TO A DISABILITY, OR AN INTERPRETER FOR NON-ENGLISH SPEAKING PERSONS PLEASE CONTACT THE OFFICE OF BOARDS AND COMMISSIONS AT (808) 241-4917 OR ASEGRETI@KAUAI.GOV AS SOON AS POSSIBLE. REQUESTS MADE AS EARLY AS POSSIBLE WILL ALLOW ADEQUATE TIME TO FULFILL YOUR REQUEST. UPON REQUEST, THIS NOTICE IS AVAILABLE IN ALTERNATIVE FORMATS SUCH AS LARGE PRINT, BRAILLE, OR ELECTRONIC COPY.
TELECONFERENCE SPECIAL MEETING NOTICE AND AGENDA
Wednesday, February 23, 2022
2:00 p.m. or shortly thereafter

Microsoft Teams VIDEO
Click on the URL below or type the URL into your computer or smart phone
https://bit.ly/31X5vDx

Microsoft Teams AUDIO
Phone: 1-469-848-0234, Conference ID: 610 389 744#

#1 CALL TO ORDER IN OPEN SESSION (Open to the Public)

ROLL CALL

APPROVAL OF AGENDA

PUBLIC COMMENTS AND TESTIMONY
Individuals may orally testify on any agenda item at this time.

APPEAL HEARING
Pursuant to Hawai‘i Revised Statutes §76-14 the Merit Appeals Board shall decide appeals from any action under Chapter 76. Pursuant to §76-47, a jurisdiction may continue to use its Civil Service Commission or Appeals Board, in whole or without modification, as its Merit Appeals Board to assume all of the functions and responsibilities under section §76-14. Pursuant to Hawai‘i Revised Statutes §§92-6(a) and 313, when the Civil Service Commission is exercising its adjudicatory functions, the appeal hearing may be closed to the public.

EXECUTIVE SESSION
Pursuant to Hawai‘i Revised Statutes §92-7(a), the Commission may, when deemed necessary, hold an Executive Session on any agenda item without written public notice if the Executive Session on any agenda item without written public notice if the Executive Session was not anticipated in advance. Any such Executive Session shall be held pursuant to HRS §92-4 and shall be limited to those items described in HRS §92-5(a). Discussion held in Executive Session are closed to the public.

#2 ENTER APPEAL HEARING (Closed to the Public)
Disconnect from #1 Open Session and enter #2 Appeal Hearing.

#2 CALL TO ORDER IN APPEAL HEARING

ROLL CALL
BUSINESS
ES-06 – RFA 2021-02 Continuation of Appeal Hearing from the February 1, 2022 meeting – Appeal filed March 18, 2021, against the action of the Director of Human Resources. Pursuant to Hawai‘i Revised Statutes 76-14 the Merit Appeals Board shall decide appeals from any action under Chapter 76.

#3 ENTER INTO EXECUTIVE SESSION (Closed to the Public)
Disconnect from #2 Appeal Hearing and enter #3 Executive Session.

#3 CALL TO ORDER IN EXECUTIVE SESSION

ROLL CALL

BUSINESS
ES-06 – RFA 2021-02 To consider Appeal filed March 18, 2021 against the action of the Director of Human Resources. Pursuant to Hawai‘i Revised Statutes §92-4, §92 5(a)(4) and §76 47 (e), the commission requests an Executive Session to consult with the Deputy Attorney General on the evidence presented at the hearing and discuss the commission’s process to rule on the appeal if the commission finds that the director violated any applicable civil service rule, regulation, law or policy; or if the commission finds that the director did not violate any applicable civil service rule, regulation, rule policy and discussion and possible decision making on other related matters. This discussion and consultation may involve matters affecting privacy and consideration of the powers, duties, privileges, immunities, and/or liabilities of the Commission as they relate to this agenda item.

#1 ENTER OPEN SESSION (Open to the Public)
Disconnect from #3 Executive Session and enter #1 Open Session.

#1 CALL TO ORDER IN OPEN SESSION

ROLL CALL

RATIFY ACTIONS
Ratify the actions taken by the Civil Service Commission in executive session for ES-06.

ANNOUNCEMENTS:
Next Scheduled Meeting: Tuesday, March 1, 2022 – 3:00 p.m. Microsoft Teams Teleconference.

ADJOURNMENT
CIVIL SERVICE COMMISSION – February 23, 2022
NOTICE OF EXECUTIVE SESSION
Pursuant to Hawai‘i Revised Statutes, §92-7(a), the Commission may, when deemed necessary, hold an Executive Session on any agenda item without written public notice if the Executive Session was not anticipated in advance. Any such Executive Session shall be held pursuant to HRS §92-4 and shall be limited to those items described in HRS §92-5(a). Discussions held in Executive Session are closed to the public.

cc: Deputy Attorney General Henry Kim
cc: Deputy County Attorney Mark Ishmael
cc: Deputy County Attorney Hugo Cabrera
cc: Director of Human Resources Annette Anderson