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 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 shall accept written testimony for any agenda item herein. Written testimony indicating 1) testifiers name, and if applicable, testifiers position/title and organization represented, 2) the agenda item that the testifier provided comment on, and 3) contact information (telephone number and email address), may be submitted to smurrajn@kauai.gov or mailed to the Civil Service Commission, c/o Office of Boards and Commission, 4444 Rice Street, Suite 400, Lihue, Hawaii 96766. Written testimony received by the Civil Service Commission at least 24 hours prior to the meeting will be distributed to Civil Service Commissioners prior to the meeting. Any testimony received after this time and up to the start of the meeting will be summarized by 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 is concluded.

- Oral testimony will be taken during the public testimony portion of the meeting via Microsoft Teams remote technology platform.
  - It is recommended that anyone interested in providing oral testimony register at least 24 hours prior to the meeting by emailing smurrajn@kauai.gov or call (808) 241-4919. An request to register shall include 1) testifier’s name, and if applicable, testifier’s position/title and organization represented, 2) the agenda item that the testifier provided comment on, and 3) contact information (telephone number and email address).
  - It shall be the responsibility of the testifier to join the meeting through the Microsoft Teams link provided on the posted agenda to provide their testimony. It shall also 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 muted until it is their turn to testify.
  - Pursuant to HRS 92A-3 of the Public Agency Meetings and Records statute, the boards shall afford all interested persons an opportunity to submit data, views, or arguments, in writing, on any agenda item. The board shall also afford all interested persons an opportunity to present oral testimony on any agenda item.
  - Individuals who did not register to testify shall be given an opportunity to speak on an agenda item following the registered speakers.
  - The Chair may limit all oral testimony during a commission meeting to 3 minutes, but such time limit shall not include pertinent responses by the speaker to questions posed by members of the Commission. The Chair may grant an additional 3 minutes to provide further testimony after all interested persons have had an opportunity to provide oral testimony.
  - If there are any technical glitches during a testimony, the Commission may have to move on to the next testifier 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 ASEGRETIA@KUAUI.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
Tuesday, March 29, 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

Microsoft Teams AUDIO
Phone: 1-469-848-0234, Conference ID: 327 646 818#

#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 §76-17, a jurisdiction may continue to use its Civil Service Commission or Appeals Board, with 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)(2)(D), when the Civil Service Commission is exercising its adjudicatory functions, the appeal hearing may be closed to the public.

EXECUTIVE SESSION
Pursuant to Hawaii Revised Statutes §92-4, the commission may hold executive meetings closed to the public upon an affirmative vote, taken at an open meeting, of two-thirds of the members present; provided that affirmative vote constitutes a majority of the members to which the board is entitled. Any meeting closed to the public shall be limited to matters exempted by section 92-5. The reason for holding such a meeting shall be publicly announced and the vote of each member on the question of holding a meeting closed to the public shall be recorded and entered into the minutes of the meeting. Pursuant to Hawaii Revised Statutes §92-7(d), after posting of the commission meeting agenda the commission may add an item to the agenda, including an executive meeting closed to the public, by an affirmative two-thirds recorded vote of all members to which the board is entitled; provided that no item shall be added to the agenda if it is of reasonably major importance and action thereon by the board will affect a significant number of persons. Items of reasonably major importance not decided at a scheduled meeting shall be considered only at a meeting continued to a reasonable day and time.
POSTPONED

#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-10 – 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-11 – 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 will hold an executive session to consult with the Deputy Attorney General on the evidence presented at both hearings and discuss the commissions 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, law or 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-10 and ES-11.

CIVIL SERVICE COMMISSION – March 29, 2022
ANNOUNCEMENTS:
Next Scheduled Meeting: Tuesday, April 5, 2022 – 3:00 p.m. Microsoft Teams Teleconference.

ADJOURNMENT

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