

**HAWAII LABOR RELATIONS BOARD**

**ANNUAL REPORT TO**  
**THE HONORABLE NEIL ABERCROMBIE**  
**GOVERNOR OF THE STATE OF HAWAII**

**2011-2012**

*PRESENTED BY THE HAWAII LABOR RELATIONS BOARD*

JAMES B. NICHOLSON, Chair  
SESNITA A.D. MOEPONO, Member  
ROCK B. LEY, Member

## TABLE OF CONTENTS

I.	EXECUTIVE SUMMARY .....	2
II.	INTRODUCTION .....	3
III.	MISSION STATEMENT .....	3
IV.	OVERVIEW .....	3
	▪ Governing Constitutional Provisions and Statutes .....	3
	▪ Functions .....	4
	▪ Board Members .....	4
	▪ Board Staff .....	5
V.	DATA ON THE PUBLIC SECTOR BARGAINING UNITS .....	6
	▪ Exclusive Representatives .....	7
	▪ Number of Employees in Units .....	8
VI.	CASES BEFORE THE BOARD DURING FY 2012 .....	9
	▪ Case Statistics .....	9
	▪ Cases Closed During FY 2012 .....	10
	▪ Cases Pending on June 30, 2012 .....	10
	▪ Court Cases in FY 2012 .....	10
VII.	PUBLICATIONS .....	10
VIII.	CONCLUSION .....	10
APPENDICES		
	Appendix A	
	Appendix B	
	Appendix C	

## **I. EXECUTIVE SUMMARY**

The Hawaii Labor Relations Board (HLRB or Board) is a quasi-judicial agency that administers the provisions of Hawaii Revised Statutes (HRS) Chapters 89 and 377 regarding collective bargaining in public and private employment. The mission of the Board is to enforce and protect the rights of employees and unions to organize and bargain collectively in balance with the employer's rights to manage operations as provided by law and to fairly and efficiently resolve labor disputes brought before it. The Board is attached to the State Department of Labor and Industrial Relations (DLIR) for administrative and budgetary purposes only.

The Board conducts hearings to decide complaints filed by public and private sector employees, unions, and employers alleging prohibited or unfair labor practices. These cases typically involve an employer or union's failure to bargain in good faith, an employer or union's interference with an employee's right to participate in or refrain from bargaining activities, or a union's failure to fairly represent its members in the negotiation of agreements or the pursuit of grievances. The Board also conducts union representation elections, supervises the impasse procedures in public employment, and issues declaratory rulings, which clarify the applicability of governing statutes and its rules.

The Board has jurisdiction over public employers, i.e., the State of Hawaii and the counties, the Judiciary, the Department of Education, including the public charter schools, the University of Hawaii system, and the Hawaii Health Systems Corporation. In the private sector, the Board has jurisdiction over primarily agricultural employees and employers, and those who are not subject to the jurisdiction of the National Labor Relations Board.

The Board also decides contests and appeals of decisions rendered by the DLIR Director, through the Hawaii Occupational Safety and Health Division (HIOSH) under HRS Chapter 396. Its mission under HRS Chapter 396 is to ensure the right of workers to a safe and healthful work environment and encourage employer and employee efforts to reduce injuries and illnesses arising from employment. These cases typically involve employer contests of citations and penalties issued and appeals in discrimination cases involving the reporting of health and safety violations.

In FY 2012, a total of 36 public sector employment cases, 1 private sector employment case, and 21 HIOSH cases were filed with the Board. The Board conducted 68 prehearing or status conferences, 26 motion hearings, 50 days of hearings, and closed 47 cases. The Board issued 59 orders relating to collective bargaining, including 28 orders closing cases. The Board also issued 1 HIOSH decision, 33 orders, including 18 dispositive orders. In addition, the Board was party to 17 court proceedings where decisions or orders were appealed or which were filed as original proceedings.

This fiscal year has presented continuing challenges for the parties involved in collective bargaining in the public sector due in large part to the recession. During FY 2012, all of the bargaining units except for Unit 07, UH faculty, whose current collective bargaining agreement ends in 2015, were at impasse in their negotiations. By the close of FY 2012, only one public sector, the HGEA, on behalf of Units 02, 03, 04, 06, and 13, entered into collective bargaining agreements. Four bargaining units, Units 09, 10, 11, and 12 were in the interest arbitration process and two bargaining units, Units 01 and 05 were at impasse.

The Board is concerned about its backlog of cases. There were 90 cases pending at the close of FY 2010; 96 cases pending at the close of FY 2011, and 127 cases pending at the close of FY 2012. In addition, due to reduced operating expenses, the Board did not engage the services of a court reporter to transcribe its proceedings, making it more difficult to draft decisions from the audio recordings. The growing backlog of cases highlights the Board's pressing need to restore professional staff positions to assist in researching the complex issues presented, promulgating administrative rules and drafting decisions and orders.

## **II. INTRODUCTION**

Pursuant to HRS § 89-5(a), the Board presents its annual report to the Governor describing its activities for fiscal year 2011 and reflecting the status of the Board on June 30, 2012.

## **III. MISSION STATEMENT**

The mission of the Board is to enforce and protect the rights of employees and unions to organize and bargain collectively in balance with the employer's rights to manage operations as provided by HRS Chapters 89 and 377 by fairly and efficiently resolving labor disputes brought before it. The Board is committed to promoting the harmonious and cooperative relations between the parties.

In 2002, the Board also acquired jurisdiction to conduct de novo hearings on contests of citations issued by the DLIR Director through the HIOSH Division and appeals from HIOSH's findings in discrimination complaints involving retaliation for reporting safety and health violations. The Board's mission pursuant to HRS Chapter 396 is to ensure the right of workers to a safe and healthful work environment and encourage employer and employee efforts to reduce injury and illness arising out of employment.

## **IV. OVERVIEW**

### **Governing Constitutional Provisions and Statutes**

Private employees in the State of Hawaii have a constitutional right to organize. Article XIII, Section 1 of the State Constitution, provides that, "Persons in private employment shall have the right to organize for the purpose of collective bargaining." The Hawaii Employment Relations Act (HERA) was enacted in 1945 and codified as HRS Chapter 377 to permit employees who are not subject to the Railway Labor Act or the National Labor Relations Act to participate in collective bargaining. The Hawaii Employment Relations Board (HERB) was created to administer the provisions of the HERA.

Similarly, in 1968, the State Constitution was amended to afford public employees in the State of Hawaii the right to organize for the purpose of collective bargaining. Article XIII, Section 2 of the State Constitution, provides that, "Persons in public employment shall have the right to organize for the purpose of collective bargaining as provided by law." In 1970, the Legislature enacted Act 171, Session Laws of Hawaii, which was subsequently codified as HRS Chapter 89, Collective Bargaining in Public Employment, to encourage joint decision-making in administering government. The Act created the Hawaii Public Employment Relations Board (HPERB) to administer the provisions of HRS Chapter 89. In 1985, the Legislature abolished the HERB, transferred its functions to the HPERB, and renamed it the Hawaii Labor Relations

Board, effective January 1, 1986, to administer the provisions of both HRS Chapters 89 and 377.

Thereafter, in 2002, the Legislature enacted Act 104, Session Laws of Hawaii, which empowered the Board to conduct de novo hearings in reviewing contests of citations or orders of the Director of Labor and Industrial Relations involving occupational health and safety pursuant to HRS § 396-11.<sup>1</sup>

### **Functions**

The Board is an agency within the DLIR for administrative and budgetary purposes. The Board exercises quasi-judicial powers with jurisdiction over disputes pertaining to collective bargaining in the public sector arising under HRS Chapter 89 and in the private sector under HRS Chapter 377. Accordingly, the primary duties of its members are to hear and decide contested cases involving prohibited or unfair labor practice complaints and to render declaratory rulings on questions submitted. These cases typically involve an employer or union's failure to bargain in good faith, an employer or union's interference with an employee's right to participate in or refrain from bargaining activities, or a union's failure to fairly represent its members in the negotiation of agreements or the pursuit of grievances. The Board also conducts union representation elections, supervises the impasse procedures in public employment, and issues declaratory rulings to clarify the applicability of governing statutes and its rules. In addition, the Board also resolves disputes involving bargaining unit designations and determines the appropriateness of dues refunds for nonmembers.

In the public sector, the Board has jurisdiction over state and county employees, judiciary employees, public school teachers, faculty of the University of Hawaii and community college system, employees of the Hawaii Health Systems Corporation, and charter school employees.

In the private sector, the Board similarly conducts representation elections and resolves unfair labor practice complaints. The Board has jurisdiction over primarily agricultural employees and employers and those private employees and employers who are not subject to the jurisdiction of the National Labor Relations Board. Typically, the employees are members of unions or are involved with organizing activities.

In addition, the Board decides contests and appeals of decisions rendered by the Director of Labor and Industrial Relations, State of Hawaii, through HIOSH under HRS Chapter 396. These cases are typically employer contests of citations and penalties issued and appeals in discrimination cases involving retaliation against employees for reporting safety and health violations.

### **Board Members**

The Board is composed of three members, one of whom is representative of management, one who is representative of labor and the third member, the Chair, who represents the public. Each member is appointed by the governor and confirmed by the Senate for six-year terms. Because cumulative experience and continuity in office are essential to the proper administration of HRS

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<sup>1</sup>Prior to 2002, the Labor and Industrial Appeals Board of the DLIR (LIRAB) heard contests filed under HRS § 396-11. The Board did not receive additional funding or positions when the HIOSH appeals were transferred to the Board.

Chapter 89, the two-term appointment limit in HRS § 26-34 is not applicable, and members can continue in office as long as efficiency is demonstrated. The Board is composed of the following:

**JAMES B. NICHOLSON**, Chair, appointed July 1, 2007; annual salary \$90,060. Mr. Nicholson graduated from Saint Louis School in Honolulu, Hawaii and received his Bachelor of Arts from Michigan State University. He received his Juris Doctorate degree from the William S. Richardson School of Law and was admitted to the Hawaii State Bar in 1986. During his professional career he was a Union representative for the Kansas City Chiefs; Management negotiator for the Hawaii Employers Council; Production Manager for Weyerhaeuser Paper Company, represented the Teamsters Local 996 and State Organization of Police Officers in grievance arbitration cases, represented Hawaiian Electric Company in grievance arbitration cases and served as an arbitrator in public and private labor disputes.

**SESNITA A.D. MOEPONO**, Member, representative of management, appointed on an interim basis from June 15, 2011 – June 30, 2011 with a term beginning on July 1, 2011; annual salary \$85,560. Ms. Moepono graduated from Punahou School, University of Hawaii with a Bachelor of Arts, and the William S. Richardson School of Law in 1986 with a J.D. She is a member of the Hawaii State Bar Association. Ms. Moepono has had a solo private legal practice since 1998. From 1994-1997, she served as the Deputy Administrator of Operations, Office of Hawaiian Affairs, responsible for the administrative functions, i.e. fiscal, personnel, public information, cultural, legislative and public information. She has worked in the Legislature as a budget analyst for the Senate Ways and Means Committee and legislative researcher for the Senate Majority Research Office and the Committees on Judiciary, Labor, Transportation and Health. Ms. Moepono has also served as the Chair of the Liliha Neighborhood Board 2003-2007, Vice-Chair of the Honolulu Planning Commission 1994-2004, and a member of the Downtown Business Association, Kupuna Caucus, the Honolulu Committee on Aging and the Lanakila Multi-Purpose Committee, among others.

**ROCK B. LEY**, Member, representative of labor, appointed and confirmed for a five-year term beginning July 1, 2011; annual salary \$85,560. Mr. Ley previously served as the hearings officer for the LIRAB. Prior to that, Mr. Ley was in private practice after having served as a deputy attorney general in the Labor Division of the Department of the Attorney General, State of Hawaii. Mr. Ley graduated from Dartmouth College with a Bachelor of Arts degree in History and from the Johns Hopkins University with a Doctor of Philosophy degree in modern social and economic history. He received his Juris Doctorate degree from Southwestern University School of Law, and was admitted to the Hawaii State Bar in 1986.

### **Board Staff**

Pursuant to HRS § 89-5(a), the Board may appoint the members of its staff. The Board's secretary and legal clerk are in the civil service system and excluded from collective bargaining. Other staff members are exempt from civil service and excluded from collective bargaining. The staff is composed of the following:

**VALRI LEI KUNIMOTO**, Executive Officer; annual salary \$92,460. Ms. Kunimoto serves as legal counsel to the Board, represents the Board in the courts, and performs such legal and administrative duties as may be delegated by the Board Chair. Her administrative duties may include supervising the other staff members; drafting and editing Board publications and

decisions; and responding to inquiries from the public. Ms. Kunimoto has served as the Executive Officer with the Board since April 1981 under Board Chairs Mack Hamada, Bert Tomasu, and the late Brian Nakamura. She graduated with distinction from the University of Hawaii with a Bachelor of Arts degree in Psychology and received a Juris Doctorate degree from Hastings College of the Law, University of California. Prior to working with the Board, Ms. Kunimoto served briefly as a law clerk with Chief Justice William S. Richardson, Supreme Court of Hawaii. Thereafter, she served as deputy attorney general in the administration division, advising and representing then Department of Personnel Services and other executive departments in arbitrations, administrative hearings, and litigation regarding administrative law and personnel issues.

**NORA A. EBATA**, Secretary IV; SR 18L. Ms. Ebata provides clerical services for the Chair and Board members. She also serves as the office manager, supervises the Board's clerical staff and is responsible for fiscal and personnel recordkeeping, including purchasing and travel for the Board. Ms. Ebata types from a draft and finalizes Board decisions, orders, notices, and other Board publications; proofs and finalizes court documents; serves as a clerk in Board proceedings; and responds to public inquiries.

**SAU LAN LEUNG**, Legal Clerk; SR 14. Ms. Leung performs a variety of clerical tasks; types from a draft, finalizes and distributes Board decisions, orders, notices and legislative documents; prepares and files court documents, including pleadings, records on appeal, and briefs; and maintains the Board's library. Ms. Leung also serves as a clerk in Board proceedings, responds to public inquiries, and when requested, serves as an interpreter for the department.

## **V. DATA ON THE PUBLIC SECTOR BARGAINING UNITS**

The collective bargaining law for public employees divides all State and county employees covered by Chapter 89, HRS, into 13 units based upon occupational and compensation plan groupings. These bargaining units, described in HRS § 89-6(a), are as follows:

- (1) Non-supervisory employees in blue collar positions;
- (2) Supervisory employees in blue collar positions;
- (3) Non-supervisory employees in white collar positions;
- (4) Supervisory employees in white collar positions;
- (5) Teachers and other personnel of the department of education under the same pay schedule, including part-time employees working less than twenty hours a week who are equal to one-half of a full-time equivalent;
- (6) Educational officers and other personnel of the department of education under the same pay schedule;
- (7) Faculty of the University of Hawaii and the community college system;
- (8) Personnel of the University of Hawaii and the community college system, other than faculty;
- (9) Registered professional nurses;
- (10) Institutional, health and correctional workers;
- (11) Firefighters;
- (12) Police officers; and
- (13) Professional and scientific employees, who cannot be included in any of the other bargaining units.

It is customary to refer to the bargaining units by the numbers used in HRS § 89-6(a). For example, the unit consisting of firefighters is referred to as Unit 11.

### **Exclusive Representatives**

All 13 public employee collective bargaining units have selected employee organizations to serve as their exclusive representatives. Throughout the remainder of this report, the following abbreviations will be used to refer to the respective exclusive representatives (or unions):

HFFA	Hawaii Fire Fighters Association, Local 1463, IAFF, AFL-CIO
HGEA	Hawaii Government Employees Association, AFSCME, Local 152, AFL-CIO
HSTA	Hawaii State Teachers Association
SHOPO	State of Hawaii Organization of Police Officers
UHPA	University of Hawaii Professional Assembly (NEA-AAUP)
UPW	United Public Workers, AFSCME, Local 646, AFL-CIO



### **Number of Employees in Units**

The following table indicates, for each bargaining unit, the number of employees who are included in the unit, the union and the date that the union was initially selected and certified as the exclusive representative.

<b>Unit</b>	<b>No. of Employees</b>	<b>Exclusive Representative</b>	<b>Date of Initial Certification</b>
01	8,338	UPW	10/20/71
02	803	HGEA	10/20/71
03	13,588	HGEA	04/03/72
04	843	HGEA	05/03/72
05	12,453	HSTA	05/21/71
06	797	HGEA	06/10/71
07	3,881	UHPA	11/01/74
08	2,170	HGEA	01/26/73
09	1,482	HGEA	07/10/79
10	2,813	UPW	02/11/72
11	1,878	HFFA	02/04/72
12	2,802	SHOPO	07/14/72
13	7,668	HGEA	05/03/72

These figures are from HLRB Informational Bulletin No. 50, dated April 9, 2012 that was compiled from data supplied by the public employers. These figures are current as of December 31, 2011 but do not include charter schools.

## **VI. CASES BEFORE THE BOARD DURING FY 2012**

### **Case Statistics**

The following represents the cases filed and pending before the Board in FY 2012:

<b>Type of Case</b>	<b>Pending 6/30/11</b>	<b>Filed</b>	<b>Closed</b>	<b>Pending 6/30/12</b>
<b>Collective Bargaining</b>				
<b><i>Public/Private Sector</i></b>				
Prohibited Practice against Employer	66	27	12	81
Prohibited Practice against Union	13	8	9	12
Prohibited Practice against Employee	1	0	0	1
Impasse	13	0	7	6
Declaratory Ruling	1	1	0	2
Unit Clarification	3	0	0	3
Unfair Labor Practice against Employer	0	1	0	1
Collective Bargaining Sub-total	97	37	28	106
<b>Type of Case</b>	<b>Pending 6/30/010</b>	<b>Filed</b>	<b>Closed</b>	<b>Pending 6/30/11</b>
<b><i>HIOSH Appeals</i></b>				
Citation	17	16	18	15
Discrimination	2	5	1	6
HIOSH Appeals Sub-total	19	21	19	21
<b>Total</b>	<b>116</b>	<b>58</b>	<b>47</b>	<b>127</b>

In FY 2012, a total of 36 public sector employment cases, and 1 private sector employment case were filed with the Board. These cases vary in complexity; some involving issues affecting one employee and others affecting the rights of a large number of employees. Also, 21 HIOSH cases were filed with the Board.

The Board conducted 68 prehearing or status conferences, 26 motion hearings, and 50 days of hearings, and closed 47 cases. The Board issued 59 orders relating to collective bargaining, including 28 orders disposing of the cases. The Board also issued 1 HIOSH decision, 33 HIOSH orders, including 18 dispositive orders. In addition, the Board was party to 17 court proceedings where decisions or orders were appealed or which were filed as original proceedings.

### **Cases Closed During FY 2012**

The chart in Appendix A provides information on the cases closed by the Board during FY 2012.

### **Cases Pending on June 30, 2012**

The chart in Appendix B provides information on the cases pending before the Board on June 30, 2012.

### **Court Cases in FY 2012**

The chart in Appendix C provides information on the cases in the courts.

## **VII. PUBLICATIONS**

1. **HLRB Decisions**: The Board, working with the Industrial Relations Center (IRC), University of Hawaii, publishes the Board's decisions in loose-leaf binders for sale on a subscription basis. Thus far, Volume 1, containing Decision Nos. 1 through 85 covering the years 1971-77; Volume 2, containing Decision Nos. 86 through 155 covering the years 1978-81; Volume 3, containing Decision Nos. 156 through 209 covering the years 1982-85; Volume 4, containing Decision Nos. 210 through 311 covering the years 1986-90; Volume 5, containing Decision Nos. 312 through 393 covering the years 1991-97; Volume 6 containing Decision Nos. 394 to 456 covering the years 1998-2005; and Volume 7 containing Decision Nos. 457 – 475 have been issued. Copies of recent decisions are available on the Board's website at [www.hawaii.gov/labor](http://www.hawaii.gov/labor).

The Board also distributes copies of its decisions as they are rendered to the respective parties in interest, and the State agencies as required by HRS § 93-3.

2. **Informational Bulletin**: Each year the Board issues an Informational Bulletin which provides, by employing jurisdictions, the number of public employees in each of the 13 collective bargaining units established by HRS § 89-6(a). The figures are compiled from data supplied by the public employers.
3. **Website**: Rules, forms, bulletins, recent decisions of the Board, and the Board's List of Arbitrators with their resumes are posted on the DLIR website at [www.hawaii.gov/labor](http://www.hawaii.gov/labor).

## **VIII. CONCLUSION**

In reviewing the case activity for labor relations cases for this fiscal year, the Board believes it

has continued to meet its goals of administering the provisions of HRS Chapters 89 and 377. The Board has worked diligently to encourage the settlement of disputes brought before it by broaching settlement issues early at the prehearing conference, encouraging the parties with authority to resolve the controversy to attend the initial conferences, and involving individual Board Members to assist the parties in settlement discussions. In many cases, the parties were able to resolve their disputes and the Board credits the parties for their efforts and reasonableness in reaching a settlement.

The Board is concerned about its backlog of cases. There were 90 cases pending at the close of FY 2010; 96 cases pending at the close of FY 2011, and 127 cases pending at the close of FY 2012. In addition, due to reduced operating expenses, the Board does not engage the services of a court reporter to transcribe its proceedings making it more difficult to draft decisions from the audio recordings. The growing backlog of cases highlights the Board's pressing need to restore professional staff positions to assist in researching the complex issues presented, promulgating administrative rules and drafting decisions and orders.

This fiscal year has presented continuing challenges for the parties involved in collective bargaining in the public sector due in large part to the local and national fiscal constraints. At the close of FY 2012, four bargaining units, Units 09, 10, 11, and 12, whose contracts expired on June 30, 2011 were pending interest arbitration and two units, Units 01 and 05, had not reached an agreement.

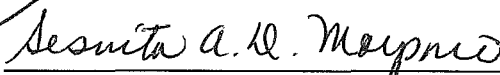
With respect to the HIOSH contests, the Board conducted de novo hearings on the contests of citations. The Board strives to provide a forum for the fair and efficient adjudication of safety and health contests by balancing the rights of employers while securing the safety of their workers. As evidenced by the closed cases in Appendix A, the parties were successful in settling a number of contests. The Board commends the parties for their reasonableness in resolving their disputes.

Respectfully submitted,



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JAMES B. NICHOLSON, Chair



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SESNITA A.D. MOEPONO, Member



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ROCK B. LEY, Member

DATED: December 4, 2012.

Case No.	Parties	Concerns	Disposition
OSH 2011-7	DLIR v. The Terminix Intl Co. LP	Citation - \$2,750	Order No. 441 Approving Stipulation and Settlement Agreement issued on 7/7/11. \$2200.
OSH 2011-9	DLIR v. Exclusive Island Roofing	Citation - \$2,000	Order No. 442 Approving Stipulation and Settlement Agreement issued on 7/7/11. \$1600.
CU-10-306	Latasia Anzai-Torres v. UPW	DFR - refusal to file grievance - seniority on transfer	Order No. 2798 Granting Withdrawal of Prohibited Practice Complaint issued on 7/13/11.
CU-10-307	Latasia Anzai-Torres v. UPW	DFR - refusal to file grievance - promotion	Order No. 2799 Granting Withdrawal of Prohibited Practice Complaint issued on 7/13/11.
I-02-131	HGEA v. Neil Abercrombie, Peter B. Carlisle, William Kenoi, Alan M. Arakawa, Bernard P. Carvalho, Jr., Mark Recktenwald, and HHSC	Unit 02	Order No. 2800 Dismissing Impasse Case issued on 7/20/11.
I-03-132	HGEA v. Neil Abercrombie, Peter B. Carlisle, William Kenoi, Alan M. Arakawa, Bernard P. Carvalho, Jr., Mark Recktenwald, and HHSC	Unit 03	Order No. 2801 Dismissing Impasse Case issued on 7/20/11.
I-04-133	HGEA v. Neil Abercrombie, Peter B. Carlisle, William Kenoi, Alan M. Arakawa, Bernard P. Carvalho, Jr., Mark Recktenwald, and HHSC	Unit 04	Order No. 2802 Dismissing Impasse Case issued on 7/20/11.
I-06-135	HGEA v. Neil Abercrombie, Board of Education and Kathryn Matayoshi	Unit 06	Order No. 2803 Dismissing Impasse Case issued on 7/20/11.
I-08-136	HGEA v. Neil Abercrombie, Board of Regents and M.R.C. Greenwood	Unit 08	Order No. 2804 Dismissing Impasse Case issued on 7/20/11.
I-13-141	HGEA v. Neil Abercrombie, Peter B. Carlisle, William Kenoi, Alan M. Arakawa, Bernard P. Carvalho, Jr., Mark Recktenwald, and HHSC	Unit 13	Order No. 2805 Dismissing Impasse Case issued on 7/20/11.
OSH 2011-4	DLIR v. Jennings Pacific, LLC	Citation - \$12,000	Order No. 443 Approving Stipulation and Settlement Agreement issued on 7/22/11. \$6,000.

Case No.	Parties	Concerns	Disposition
CE-03-780	Arnet Persons v. Patricia McManaman	Discharge and Last Chance Agreement	Order No. 2810 Granting Respondent's Motion to Dismiss Prohibited Practice Complaint Filed on April 28, 2011 issued on 8/4/11.
CE-07-779	UHPA v. BOR	Unilateral implementation of bargainable item	Order No. 2812 Granting Complainant's Motion to Withdraw Prohibited Practice Complaint, Filed on August 12, 2011, issued on 8/24/11.
OSH 2011-13	DLIR v. Fairmont Orchid Hawaii	Citation - \$17,250.	Order No. 445 Approving Stipulation and Settlement Agreement issued on 8/25/11. \$2,200.
OSH 2011-2	DLIR v. Mike Mitchell Consulting	Citation - \$1,500	Order No. 446 Approving Stipulation and Settlement Agreement issued on 9/8/11. \$1,200.
CU-05-267	Linda Lingle and Marie Laderta v. HSTA and Raymond Camacho	Refusal to negotiate drug testing procedures	Order No. 2818 Dismissing Case issued on 9/14/11.
OSH 2011-15	DLIR v. Bodell Construction Company	Citation - \$2,450.	Order No. 447 Approving Stipulation and Settlement Agreement issued on 9/22/11. \$1,750.
OSH 2011-14	DLIR v. Sears Roebuck and Co., dba Sears AutoCenter	Citation - \$1,875	Order No. 448 Approving Stipulation and Settlement Agreement issued on 9/22/11. \$1,300.
OSH 2011-11	DLIR v. Waffles of Hawaii	Citation - \$1,125.	Order No. 449 Approving Stipulation and Settlement Agreement issued on 10/20/11. \$787.50.
OSH 2011-12	DLIR v. Waffles of Hawaii	Citation - \$375.	Order No. 450 Approving Stipulation and Settlement Agreement issued on 10/20/11. \$262.50.
OSH 2010-29	DLIR v. C&C - Kailua Wastewater Treatment Plant DES	Citation - \$140,000.	Order No. 450 Approving Stipulation and Settlement Agreement issued on 10/20/11. \$5,000.
OSH 2010-33	DLIR v. Holiday Surf Hotel, Inc.	Citation - \$10,800.	Order No. 455 Approving Withdrawal of Citation Issued on October 25, 2010 and Order, issued on 11/22/12.

Case No.	Parties	Concerns	Disposition
OSH 2011-18	DLIR v. Nakamura Electric, Inc.	Citation - \$1,350.	Order No. 456 Approving Stipulation and Settlement Agreement issued on 11/28/11. \$1,350.
OSH 2011-17	DLIR v. Fong Investment Co. Ltd dba Royal Grove Hotel	Citation - \$750.	Order No. 457 Approving Withdrawal of Respondent's Notice of Contest, Dated July 10, 2011 and Postmarked September 23, 2011, issued on 12/6/11.
CU-01-309	Bronsyn T. Lee v. UPW	DFR	Order No. 2826 Granting Respondent's Motion to Dismiss Complaint, and in the Alternative for Summary Judgment, Filed on November 23, 2011 issued on 12/13/11.
OSH 2010-26	DLIR v. C&C - Kailua Wastewater Treatment Plant DES	Citation - \$140,000	Order No. 458 Approving Stipulation and Settlement Agreement issued on 1/4/12. \$9,000.
CU-13-308	Anaise M. Livai v. Earl Hatada and HGEA	DFR	Order No. 2828 Granting Respondents' Motion to Dismiss Prohibited Practice Complaint Filed September 29, 2011 or for Summary Judgment issued on 1/11/12.
CE-07-785	UHPA v. UH	Refusal to sign settlement agreement.	Order No. 2829 Granting Complainant's Motion to Withdraw Prohibited Practice Complaint issued on 1/17/12.
OSH 2011-22	DLIR v. Kona Islander Inn	Citation - \$750,	Order No. 459 Approving Withdrawal of Contest issued on 1/23/12.
I-01-120	UPW v. Neil Abercrombie, Peter B. Carlisle, William Kenoi, Alan M. Arakawa, Bernard P. Carvalho, Jr., Mark Recktenwald, HHSC, BOR and BOE	Unit 01 Impasse	Order No. 2831 Dismissing Impasse Case issued on 2/21/12.
OSH 2011-20	DLIR v. Frank Coluccio Construction Co.	Citation - \$3,000.	Order No. 463 Approving Withdrawal of Contest issued on 2/28/12. \$3,000.
OSH 2009-1	James R. Murray and SVC-Hawaii, LP (Shell Vacation Club) and DLIR	Discrimination	Decision No. 25, Findings of Fact, Conclusions of Law, and Order issued 3/12/12.

Case No.	Parties	Concerns	Disposition
CU-01-312	Department of Human Resources, City and County of Honolulu v. UPW	Failure to sign settlement agreement	Order No. 2837 Approving Stipulation for Withdrawal of Prohibited Practice Complaint, Filed on 4/2/12.
CE-12-792	Bernard J. Wilson v. Neil Abercrombie, Frederick D. Pablo, and David Louie	Breach of Settlement agreement	Order No. 2838 Granting Respondents' Motion to Dismiss Prohibited Practice Complaint Filed on January 4, 2002, Filed on January 11, 2012.
CE-01-797	David A. Seibert, II v. Department of Water Supply	Termination	Order No. 2839 Granting Complainant's Withdrawal of Unfair Labor Practice Complaint, Without Prejudice issued on 4/10/12.
CE-07-795	David J. Brier and Vickery K. Lebbin v. University of Hawaii	Nonselection	Order No. 2840 Granting Complainant's (sic) Motion to Withdraw Prohibited Practice Complaint, Filed on April 5, 2012 issued on 4/10/12.
CE-13-798	Dale Ken Takanishi v. Timothy E. Steinberger and Noel T. Ono	Suspension	Order No. 2841 Granting Complainant's Withdrawal of Complaint, filed on April 12, 2012 issued on 4/13/12.
CE-01-794	Cedric Williams v. C&C Department of Environmental Services, Refuse Division, and David Shiraishi	Removal of routes	Order No. 2842 Granting Complainant Cedric Williams' Motion to Withdraw Complaint, Filed on March 28, 2012 issued on 4/17/12.
CE-03-796	Michael Boteilho v. Department of Water Supply, County of Maui	Downward reallocation	Order No. 2843 Granting Complainant's Withdrawal of Complaint, filed on April 20, 2012 issued on 4/24/12.
CE-07-801	UHPA v. BOR	Grievance	Order No. 2844 Granting Complainant's Motion to Withdraw Prohibited Practice Complaint, Filed on April 5, 2012 issued on 4/25/12.
CE-12-793 CU-12-313	Chester Kahalepuna v. Mark Nakagawa, Stanley Aquino, and SHOPO	Failure to timely act on extension proposal	Order No. 2845 Granting Complainant's Motion to Withdraw Prohibited Practice Complaint, Filed on April 27, 2012 issued on 4/30/12.



Case No.	Parties	Concerns	Disposition
CE-05-742	HSTA v. Georgina K. Kawamura, Ralph Schultz, Linda Lingle, Board of Education, and Patricia Hamamoto	VEBA MOA - payments to retirees	Order No. 2846 Granting Respondents' Motion to Dismiss Complaint Based on Mootness, Filed on July 27, 2011, and Dismissing the Complaint with Prejudice issued on 5/8/12.
OSH 2010-18	DLIR v. Hawaiian Electric Co., Inc.	Citation - \$15,000	Order No. 472 Approving Stipulation and Settlement Agreement issued on 6/13/12. \$10,000.
CU-01-316	Florine Robinson v. UPW, Michelle Hebblethwaite and Laurie Santiago	DFR - failure to file grievance	Order No. 2853 Granting Withdrawal of Prohibited Practice Complaint issued on 6/15/12.
CU-05-283	Stephanie C. Stucky v. Dwight Takeno, Ray Camacho, Eric Nagamine, David Forrest, and HSTA	DFR - failure to follow grievance procedure	Order No. 2854 Granting Respondents' Second Motion to Dismiss Complaint issued on 6/18/12.
OSH 2010-24	DLIR v. Maryl Pacific Construction, Inc.	Citation - \$2,500	Order No. 473 Approving Withdrawal of Citation Issued on July 22, 2010 and Dismissing Contest issued on 6/21/12.

Case No.	Parties	Concerns	Status
CE-03-357a CE-10-357b CE-13-357c	UPW, et al. v. Benjamin J. Cayetano, et al.	Privatization of Hale Hauoli, Kauai	Taken under advisement.
CE-01-378a CE-03-378b CE-10-378c	UPW, et al. v. Benjamin J. Cayetano, et al.	Privatization of Hale Hauoli	Taken under advisement.
CE-01-537a CE-02-537b CE-03-537c	UPW and HGEA v. Kathleen Watanabe and Linda Lingle	Charter School employees	Taken under advisement.
DR-01-89a DR-10-89b	UPW and HGEA, Maui County, DHRD, Hawaii County, and Richard Keller	Bargaining over Act 253 policies and procedures	Pending.
CE-01-545a CE-10-545b	UPW v. Kathleen Watanabe and Linda Lingle	Refusal to bargain over rules	Pending.
CE-01-546a CE-03-546b CE-04-546c	HGEA v. Kathleen Watanabe and Linda Lingle	Failure to negotiate policies	Pending.
CE-01-550	UPW v. Robert Watada, Patricia Hamamoto, Board of Education and Waialae Elementary School Board	Closing of cafeteria	Pending.
CE-01-552a CE-10-552b	UPW v. Kathleen Watanabe and Linda Lingle	Discontinuation of prior practices	Pending.
CE-02-553a CE-03-553b CE-04-553c	HGEA v. Linda Lingle and Kathleen Watanabe	Discontinuation of prior practices	Consolidated with CE-01-552, et seq.

Case No.	Parties	Concerns	Status
CE-01-565a CE-02-565b CE-03-565c	UPW and HGEA v. Patricia Hamamoto and BOE	Charter School employees	Motion taken under advisement.
CE-01-576	UPW v. Larry J. Leopardi, Frank Doyle, and Jeremy Harris	Failure to negotiate and provide information	Motion taken under advisement.
CE-01-581	UPW v. Frank Doyle and Jeremy Harris	Request for Information	Motion taken under advisement.
CE-01-605a CE-10-605b	UPW v. Marie Laderta and Valerie Pacheco	Settlement agreements in workers' compensation cases	Taken under advisement.
CE-01-609	UPW v. Hawaii Health Systems Corporation - Hilo Medical Center	Failure to provide information	Taken under advisement.
CE-02-632a CE-03-632b CE-04-632c	HGEA v. Linda Lingle, Chiyome Fukino and Mark Fridovich	Failure to negotiate/consult of smoke free Hawaii State Hospital	Taken under advisement.
CE-03-635a CE-04-635b	HGEA v. Linda Lingle and Iwalani D. White	Failure to negotiate/consult over relocation of Sheriff's desks	Taken under advisement.
CE-05-637	HSTA v. Department of Education	Student medication	Taken under advisement.
CE-01-639a CE-03-639b CE-04-639c	HGEA v. Linda Lingle, Chiyome Fukino and Mark Fridovich	Failure to bargain over no smoking policy	Motion to dismiss pending.

Case No.	Parties	Concerns	Status
CE-01-647	UPW v. City and County of Honolulu, Kenneth Nakamatsu, and Clifford Lum	Request for Information - private contracts	Pending discussions.
CE-01-627 On Remand	UPW	UPW filed Motion to Amend Order No. 2432	Taken under advisement.
OSH 2007-22	DLIR v. Hilton Hotels Corporation	Citation \$2,625.	Taken under advisement.
CE-01-650	UPW v. Mufi Hannemann and Kenneth Nakamatsu	Failure to provide information	Pending.
CE-01-558	UPW v. Watada, et al.	Union filed motion to reopen proceedings	Pending.
CE-01-594	UPW v. Watada, et al.	Union filed motion to reopen proceedings	Pending.
CE-01-661	HSTA v. Patricia Hamamoto, BOE, Linda Lingle, and Marie Laderta	Step movements	Motions pending.
CE-01-634	UPW v. Clifford Lum, Randall Y.S. Chung, Herbert S.K. Kaopua, Samuel T. Hata, Ally J. Park, Rodney K. Haraga, Laverne Higa, Board of Water Supply, and Mufi Hannemann	CMMS	Motions taken under advisement.

Case No.	Parties	Concerns	Status
CE-05-667	HSTA v. Board of Education, Patricia Hamamoto, and Susan H. Kitsu	Harassment policy	Taken under advisement.
CE-05-669	HSTA v. Board of Education and Susan H. Kitsu	Denial of information	Motions taken under advisement.
CU-05-265	Patricia Hamamoto, Board of Education, Linda Lingle, and Marie Laderta v. HSTA	Failure to withdraw step movements charge	Motion taken under advisement.
CE-07-674	UHPA v. BOR	Limitation on summer school classes	Motions taken under advisement.
CU-05-266	Patricia Hamamoto, Board of Education, Linda Lingle, and Marie Laderta v. HSTA	Filing of CE-05-668.	Motion taken under advisement.
CE-05-677	HSTA v. Jennifer Kehe	Refusal to provide information.	Motion taken under advisement.
RA-07-232	UHPA v. BOR	Faculty Librarians	Taken under advisement.
CE-12-696	SHOPO v. Mufi Hannemann, Boisse Correa, and C&C	Restriction of policy authority	Motion taken under advisement; mediation scheduled.
CU-01-271a CU-10-271b	Marie Laderta v. UPW	Yamasaki arbitration	Resolved; pending withdrawal of complaint.

Case No.	Parties	Concerns	Status
CE-01-539 Remand	UPW v. Patricia Hamamoto and Connections	Termination	Motion taken under advisement.
CE-03-703a CE-04-703b	HGEA v. Linda Lingle and Darwin Ching	Opening of Kaneohe office	Motion taken under advisement.
CE-10-705	UPW v. Elizabeth Char and Donald Gates	Third Man permanent position	Motion taken under advisement.
CE-01-706	UPW v. Mufi Hannemann	Refusal to sign grievance settlement	Motion taken under advisement.
OSH 2009-10	DLIR v. International Roofing & Building Construction, Inc.	Citation - \$42,000	Taken under advisement.
CE-13-709	HGEA v. Department of Taxation	Outsourcing	Motion taken under advisement.
CE-01-710a CE-10-710b	UPW v. Linda Lingle, Marie Laderta and Mufi Hannemann	Breach of ground rules and retaliatory layoffs	Taken under advisement.
CE-01-715a CE-10-717b	UPW v. Linda Lingle and Marie Laderta	Refusal to bargain	Motions taken under advisement.
CE-10-719	UPW v. Chiyome Fukino, Mari Laderta, and Linda Lingle	Not recognizing grievance.	Taken under advisement.

Case No.	Parties	Concerns	Status
CE-01-720a CE-10-720b	UPW v. Marie Laderta	Refusal to bargain - layoffs	Taken under advisement.
CE-10-721	UPW v. Elizabeth Char, Kenneth Nakamatsu, and Mufi Hannemann	EMT training academy	Motion taken under advisement.
CE-10-722	UPW v. Elizabeth Char, Kenneth Nakamatsu, and Mufi Hannemann	Physical ability testing	Motion taken under advisement.
OSH 2009-36	DLIR v. Coastal Construction Co., Inc.	Fall protection	Taken under advisement.
CE-01-724	UPW v. Jeoffrey S. Cudiamat, Kenneth Nakamatsu, and Mufi Hannemann	Expiration of supplemental agreements	Hearing continued.
CE-11-725	HFFA v. Charmaine Tavares, Jeffrey A. Murray, and Robert M. Shimada	Discrimination	Motion taken under advisement.
CE-01-712a CE-10-712b	UPW v. Linda Lingle	Order No. 2633	Further proceedings to be scheduled.
CE-02-728a CE-03-728b CE-04-730c	HGEA v. Linda Lingle, Brennon Morioka, and Guy Kunitake	HGEA steward use of email	Postponed per agreement of parties.
CE-02-730a CE-03-730b CE-04-730c	HGEA v. Vincent S. Lee	Use of email	Taken under advisement.

Case No.	Parties	Concerns	Status
RA-05-236	HSTA v. HGEA and DOE	Tech coordinators	Hearing to be rescheduled.
CU-01-282	Matthew M. Taamu v. UPW, Dayton Nakanelua, and Eddie Akau	DFR	Order to issue.
CE-02-736a CE-03-736b CE-04-736c	HGEA v. Linda Lingle and Darwin Ching	Failure to consult - state to federally funded positions	Taken under advisement.
CE-10-737 CU-10-284	Jonathan Taum, Chad Ross, Carl L. Kahawai, Quincy G.K. Pacheco, Bradford J. Leialoha, Julieann L. Salas v. State of Hawaii and UPW	DFR - HCCC	Taken under advisement.
CE-01-747	UPW v. Aaron Ueno and Dr. Chiyome Fukino	Information request	Parties attempting to resolve.
CE-03-749a CE-04-749b	HGEA v. Linda Lingle, Clayton Frank and Chiyome Fukino	Contracting out of security	Motion taken under advisement.
CU-04-291	Susan Siu v. Randy Perreira and HGEA	DFR	Taken under advisement.
CE-05-751	HSTA v. Linda Lingle and Marie Laderta	Repudiation of furlough agreement	Motion taken under advisement.
CE-05-752	HSTA v. Stephen Schatz	Investigation - request for complaint	Motion taken under advisement.



Case No.	Parties	Concerns	Status
CE-10-753	UPW v. Chiyome Fukino and Marie Laderta	Information for grievance	Motion taken under advisement.
CE-10-718 Remand	UPW v. Marie Laderta	Selection of employer representative for arbitration panel	Further hearing to be scheduled.
CE-10-761	UPW v. Michael Fujioka and Marie Laderta	Reimbursement of workers compensation expenses	Hearing to be rescheduled.
CE-03-766	HGEA v. Linda Lingle, Laura H. Thielen, Mark S. Young, and Russell Y. Tsuji	Retaliation against grievant	Taken under advisement.
CE-01-769	UPW v. Christine Sorenson, Douglas Doi, Kathryn Matayoshi, BOR, BOE, and Local School Board	Privatizing work at lab school	Motion taken under advisement.
RA-05-238	HSTA v. Kathryn Matayoshi	Unit clarification of E-school instructors	Hearing to be rescheduled.
CE-01-772	UPW v. Keith Viera, Glen Kila, Kathryn Matayoshi, Garret Toguchi, BOE, Linda Lingle, Marie Laderta, and Kirt Ingram	Kamaile Academy - privatization of food services	Motion hearing to be scheduled.
CE-05-773	HSTA v. Dr. Liela Nitta, Kathryn Matayoshi, BOE, Linda Lingle, and State of Hawaii	Ele`ele - elimination of part-time music teacher	Motion taken under advisement.
CE-01-775a CE-10-775b	UPW v. Noel Ono	Failure to provide information.	Motion taken under advisement.

Case No.	Parties	Concerns	Status
I-01-130	UPW v. Abercrombie, et al.	Unit 01 impasse.	Pending.
I-05-134	HSTA v. Abercrombie, et al.	Unit 05 impasse.	Pending.
I-09-137	HGEA v. Abercrombie, et al.	Unit 09 impasse.	Pending arbitration.
I-10-138	UPW v. Abercrombie, et al.	Unit 10 impasse.	Pending arbitration.
I-11-139	HFFA v. Abercrombie, et al.	Unit 11 impasse.	Pending arbitration.
I-12-140	SHOPO v. Abercrombie, et al.	Unit 12 impasse.	Pending arbitration.
CE-01-776a CE-10-776b	UPW v. BOE, et al.	Charter Schools	Parties exchanging information.
OSH 2011-6	DLIR v. Tesoro Hawaii Corporation	Citation - \$13,750	Pending settlement.
CU-05-302	Shanye N. Valeho-Novikoff v. Wilfred Okabe, Wilbert Holck, Christopher Chang and HSTA	DFR	Motion taken under advisement.

Case No.	Parties	Concerns	Status
CE-01-778	UPW v. Tim Steinberger	Refusal to provide information.	Motion taken under advisement.
CE-10-744	UPW v. James H.E. Ireland, M.D. and Peter Carlisle	Failure to select arbitrator.	Pending submission for attorney's fees.
CE-10-746	UPW v. James H.E. Ireland, M.D. and Peter Carlisle	Failure to provide information.	Pending submission for attorney's fees.
CU-05-303	Stephanie C. Stucky v. Wilfred Okabe and HSTA	DFR	Motion taken under advisement.
OSH 2011-10	James P. Stone v. Hawaii Air Ambulance and DLIR	Discrimination	Status conference scheduled.
CEE-10-03 CU-10-304	UPW v. Andrew Stinnet, Hawaii Association of Corrections and Affiliates, and Friends of Hawaii Corrections	Employee organization	Hearing on motion to be scheduled.
CU-05-305	Education Laboratory School v. HSTA	Failure to bargain over Supplemental Agreement.	Motion taken under advisement.
CE-05-781	HSTA v. Neil Abercrombie, Kalbert Young, Neil Dietz, Kathryn Matayoshi, Donald G. Horner, and James Williams	Failure to bargain; unilateral implementation	Taken under advisement.

Case No.	Parties	Concerns	Status
11-1(CE)	ILWU v. Alexander & Baldwin, Inc., Hawaiian Commercial & Sugar Company, Keith Goto and Rick Volner, Jr.	Retaliation against grievant	Pending status report.
CE-05-782	HSTA v. Kihei Charter School, Local School Board, and Gene Zarro	Direct dealing	Motion taken under advisement.
OSH 2011-16	Mariano Mendoza v. Royal Lahaina and DLIR	Discrimination	Pending settlement.
CE-01-762a CE-10-762b	UPW v. Diane M. Niles-Hansen, et al.		Further proceedings to be scheduled.
CE-05-783	HSTA v. Halau Lokahi, LSB, June Nagasawa and Laara Allbrett	Subcontracting to private vendor	Status conference scheduled.
CE-05-784	HSTA v. Kathryn Matayoshi and Dana Kobashigawa	KOLA	Status conference scheduled.
CE-13-786	HGEA v. Wesley Lo, Eddie Espiritu, Lisa Knutson, and Trudi Tobin	Overnight pharmacy shift Maui Memorial	Pending briefing.
CE-03-787	HGEA v. Neil Abercrombie, William J. Aila and Randy L. Awo	DOCARE water craft policy	Pending scheduling of hearing.
OSH 2011-19	DLIR v. 1st Green Solutions, LLC	Citation - \$4,500	Motion taken under advisement.

Case No.	Parties	Concerns	Status
CE-13-788	Henry H, Yang, M.D. v. Loretta Fuddy	Termination of part time psychiatrist	Motion taken under advisement.
DR-13-102	Henry H, Yang, M.D.	Privatization of position	Pending ruling on CE-13-788.
CE-01-789	UPW v. C&C	Retaliation against steward	Hearing scheduled.
CE-01-790	UPW v. C&C	Settlement agreement	Complaint to be withdrawn.
OSH 2011-21	DLIR v. Donaldson Enterprises, Inc.	Citation - \$415,000.	Motion hearing scheduled.
CU-01-310	Volcano School of Arts and Sciences v. UPW and Dayton Nakanelua	Selection of arbitrators	Motions taken under advisement.
CU-01-311	Ke Kula O Samuel M. Kamakau Lab v. UPW and Dayton Nakanelua	Selection of arbitrators	Motion taken under advisement.
CE-01-791	UPW v. Corp Bd. of HHSC	Denial of information	Parties agreed to defer to arbitration.
OSH 2012-1	DLIR v. Kawaihoa Development	Citation \$9,375	Trial scheduled.

Case No.	Parties	Concerns	Status
OSH 2012-2	DLIR v. Beachside Roofing , LLC	Citation - \$3,000.	Pending settlement.
OSH 2012-3	DLIR v. Hi Tech Roofing, Inc.	Citation - \$750	Trial scheduled.
OSH 2012-4	Latasia Anzai-Torres v. PSD and DLIR	Discrimination	Trial scheduled.
OSH 2012-5	Chelsea Gilleres v. Mandara Spa and DLIR	Discrimination	Pending settlement.
OSH 2012-6	Gloria Mauga v. Mandara Spa and DLIR	Discrimination	Pending settlement.
OSH 2012-7	Brian Santore v. Grand Wailea and DLIR	Discrimination	Initial conference scheduled.
OSH 2012-8	DLIR v. Matsuyama Brothers Trucking, Inc.	Citation - \$78,000.	Trial scheduled.
CE-07-799	UHPA v, UH	Retaliation	Prehearing scheduled.
CE-07-800	UHPA v. UH and Abercrombie	EUTF	Prehearing scheduled.

Case No.	Parties	Concerns	Status
CU-03-314	Clarence Yamamoto, Brooks Tamaye, Howard Rodrigues, John Yamamoto, John De Jesus, Nathan Hillen, Gordon Yen, Jeffrey Kinorea, Kief Apo, Wesley Purdy and Michael Coelho v. HGEA, Brandon Lee, Alton Watanabe and Tehani Nunez	DFR	Motion taken under advisement.
CE-10-802 CU-10-315	Gerald Nakamoto v. Department of Defense, State of Hawaii and UPW	Compensation for Temporary Assignment and DFR	Motion taken under advisement.
CE-01-803	UPW v. C&C Dept. of Environmental Services; James Qunones, Rialrome Thornton, Bert Wong, Kenneth Self, and David Shiraishi and Peter Carlisle	Retaliation against steward	Consolidated with CE-01-789
CE-07-804	UHPA v. BOR and Neil Abercrombie	EUTF	Prehearing scheduled.
OSH 2012-9	DLIR v. Hilton Hawaiian Village, LLC	Citation - \$2,062.50	Initial conference scheduled.
CE-07-805	UHPA v. BOR	Failure to provide information	Hearing scheduled.
CE-03-806	HGEA v. Neil Abercrombie, William J. Aila, Randy L. Awo and Clarence M. Yamamoto	Interference	Prehearing scheduled.

Case No.	Parties	Concerns	Status
OSH 2012-10	DLIR v. Hawaii Nui Brewing LLC	Citation - \$3,300.	Initial conference scheduled.
OSH 2012-11	DLIR v. GoZip, Inc.	Citation - \$4,500.	Initial conference scheduled.
CE-01-807	UPW v. Peter Carlisle, Department of Environmental Services and Rialrome Thornton	Direct dealing	Prehearing scheduled.
OSH 202-12	DLIR v. Kawika's Painting, Inc.	Citation - \$1,925.	Initial conference scheduled.
OSH 2012-13	DLIR v. Hilbers, Inc.	Citation - \$1,155	Initial conference scheduled.



Case No.	Parties	Concerns	Status
No. 28424 Civ. 06-1-0485-03 OSH 2003-17	Si-Nor, Inc. v. DLIR and HLRB; DLIR v. Si-Nor, Inc.	Appeal from Dec. No. 9.	Pending decision.
No. 29037 Civ. 07-1-0708-04 Case No. 06-5(CE)	Del Monte Fresh Produce (Hawaii), Inc.; Edward C. Littleton; Stacie Sasagawa; Tim Ho; Dixon Suzuki; and Del Monte Fresh Produce Company v. ILWU and HLRB	Del Monte filed an appeal from Dec. No. 464 finding Respondents guilty of prohibited practices.	First Circuit Court affirmed Board Decision No. 464, dated March 21, 2007, on 2/1/08. Judgment and Notice of Judgment filed on 2/1/08. Del Monte filed appeal to ICA. ICA affirmed First Circuit Court on 11/21/11.
No. 29382 Civ. 07-1-1265-07 Case Nos.: DR-01-93a, DR-10-93b	Linda Lingle v. UPW and HGEA	State filed an appeal from Dec. 470 pertaining to subpoenas of union records.	First Circuit Court reversed the Board. UPW filed appeal to ICA. Judgment filed on 1/4/08. UPW filed appeal to ICA. ICA dismissed appeal for lack of appellate jurisdiction on 6/2/08. UPW filed judgment and appeal to ICA. Pending decision.
S.P. 07-1-0054	HLRB v. Patricia Hamamoto and UPW	Petition to Enforce	Third Circuit Court issued Order Granting Petition for Enforcement on 12/14/07; Court filed Judgment and Notice of Judgment on 12/14/07. To be withdrawn.
Civ. 08-1-0023 Case No. CU-10-248	PSD v. UPW and HLRB	State filed an appeal from Order No. 2478 dismissing a prohibited practice charge against the Union for violating an arbitration award.	First Circuit Court remanded to Board (6/30/08). Pending submission of order. Case reassigned to Judge Edwin Nacino on 3/7/11.

Case No.	Parties	Concerns	Status
Civ. 08-1-2277-11 Case No. DR-05-99	HSTA v. Valerie Biven, et al. and HLRB	HSTA appealed Order No. 2554 regarding drug testing.	Stipulation and Order filed on 9/20/11 (withdrawing appeal without prejudice.)
30023 Civ. 09-1-0501-03 Case No. DR-01-95	UPW v. Patricia Hamamoto, Reshela Dupuis, Wendy Lagareta, and Marie Laderta	UPW filed appeal from Order No. 2585 denying in part and granting in part Intervenor's motion to dismiss and/or for summary judgment; findings of fact, conclusions of law, and declaratory order regarding charter schools.	First Circuit Court issued Order Affirming Hawaii Labor Relations Board Order No. 2585, Dated February 2, 2009. Judgment and Notice of Judgment filed on 8/19/09. UPW appealed to ICA. Pending decision.
Civ. 09-1-2309-10 Case No. CE-10-718	UPW v. Marie Laderta and HLRB	UPW filed appeal of Order No. 2644 granting Respondent's motion to dismiss and/or for summary judgment; denying Complainant's oral motion to strike Respondent's reply memorandum, and denying Complainant's motion to amend complaint.	First Circuit Court filed Decision and Order Reversing HLRB Order No. 2644, dated 10/1/09 and remanding case for further proceedings issued on 5/21/10. State submitted Judgment. Case reassigned to Judge Edwin C. Nacino on 3/7/11.
No. 30444 Civ. 09-1-2488-10 Case Nos.: CU-10-278; CE-10-726	State, et al. v. Dayton Nakanelua	State filed appeal from Order No. 2640 granting in part, Complainant State of Hawaii's motion for interlocutory relief.	First Circuit Court affirmed Order No. 2640 on 4/1/10. UPW appealed to ICA. Pending decision.

Case No.	Parties	Concerns	Status
CAAP-10-0000166 Civ. 09-1-0323-02 Case Nos.: CU-10-278, CE-10-726	UPW v. Linda Lingle.	UPW filed appeal from Order No. 2686 granting in part and denying in part UPW's motion to dismiss or in the alternative for summary judgment in CE-10-278; granting in part UPW's motion for summary judgment in CE-10-726; and denying the State's motion to set the interest arbitration dates in CE-10-278 and CE-10-726.	Consolidated with Civ. 07-1-0502-03. First Circuit Court issued Order Affirming Board Order No. 2686, Dated February 9, 2010 on 9/10/10. Final Judgment and Notice of Judgment on Appeal filed on 11/10/10. UPW filed appeal to ICA. Case consolidated with No. 30568 (Board not a party). Taken under advisement.
Civ. No. 10-1-1615-07 Case Nos. CE-01-717a and CE-10-717b	Linda Lingle, Marie Laderta, Thomas R. Keller, Thomas M. Driskill, Jr. v. UPW and HLRB	State filed appeal from Order No. 2721 denying Respondents' motion to dismiss and/or for summary judgment for lack of jurisdiction on the ground of mootness and motion for stay of proceedings pending resolution of Respondents' pending motion to dismiss and/or motion for summary judgment filed on June 1, 2010 and notice of rescheduled hearing.	First Circuit Court denied State's appeal filed on 7/28/10 and granted UPW's motion to dismiss appeal for lack of jurisdiction on 11/24/10.

Case No.	Parties	Concerns	Status
30301 Civ. No. 09-1-0475	HSTA and Raymond Camacho v. HLRB, Linda Lingle, and Marie Laderta	HSTA filed appeal from Order No. 2573 denying motion to dismiss and denying Complainant's motion for summary judgment and notice of hearing (drug testing).	First Circuit Court granted Agency- Appellees Hawaii Labor Relations Board, et al.'s Joinder in Complainants-Appellees Linda Lingle and Marie Laderta's Motion to Dismiss Appeal Filed February 26, 2009, Filed on June 4, 2009. HSTA filed appeal to the ICA. Pending Briefing. Stipulation and Order filed on 9/14/11 withdrawing appeal without prejudice.
CAAP-12-0000424 Civ. 11-1-1077-05 Case No. CE-13-767	Genbao Gao v. HLRB and Department of the Attorney General	Gao filed appeal from Order No. 2789 granting Respondents' motion to dismiss prohibited practice complaint.	First Circuit Court affirmed Board order and dismissed appeal on 2/6/12. Court issued Order Denying Appellant's Motion to Reconsider the Order Affirming and Dismissing Appeal filed on February 6, 2012, entered on 4/13/12 and Order Denying Appellant's Motion to Vacate, Alter or Reverse the Judgment, entered on 4/24/12. Gao appealed to ICA. Pending briefing.

Case No.	Parties	Concerns	Status
CAAP-11-1107 Civ. 11-2271-09 Case No. CE-05-781	HSTA v. Neil Abercrombie, Kalbert Young, Neil Dietz, Kathryn Matayoshi, Donald G. Horner, and James B. Williams	HSTA filed appeal from Order No. 2814	First Circuit Court issued Order Granting HLRB's Ex-Parte Motion for Leave to Extend Time in Which to File Certified Record on Appeal; Order Granting Respondents-Appellees' Motion to Dismiss for Lack of Jurisdiction Filed October 17, 2011; Denying HSTA's Motion to Continue Hearing on Motion to Dismiss for Lack of Jurisdiction and HLRB's Substantive Joinder, Denying HSTA's Motion for Reconsideration. HSTA appealed to ICA. Consolidated with CAAP-12-0047. Pending decision.
CAAP-12-0047 Civ. 11-1-2271-09 Case No. CE-05-781	HSTA v. Neil Abercrombie, et al.	HSTA filed appeal from Order No. 2414.	First Circuit Court issued Order Denying HSTA's Motion for Reconsideration, Filed on October 28, 2011 issued 12/13/11; Order Granting Respondents-Appellees' Motion to Dismiss for Lack of Jurisdiction Filed October 17, 2011 filed on 12/9/11; HSTA filed appeal to ICA. Pending decision. Consolidated under CAAP-11-1107.
SCPW-11-000640 Case No. CE-05-781	HSTA v. Hawaii Labor Relations Board	HSTA filed Writ of Mandamus	Order denying/dismissing petition issued on 9/28/11.

Case No.	Parties	Concerns	Status
SCWC-29037 ICA 29037 Civ No. 07-1- 0708	Del Monte Fresh Produce (Hawaii), Inc., Edward C. Littleton; Stacie Sasagawa; Tim Ho; Dixon Suzuki; and Del Monte Fresh Produce Company v. ILWU and HLRB.	Application for Certiorari.	Application granted; pending decision.