



HAWAII LABOR RELATIONS BOARD
ANNUAL REPORT TO
THE HONORABLE NEIL ABERCROMBIE
GOVERNOR OF THE STATE OF HAWAII
2012-2013

PRESENTED BY THE HAWAII LABOR RELATIONS BOARD

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

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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.

II. INTRODUCTION

Pursuant to HRS § 89-5(a), the Board presents its annual report to the Governor describing its activities for fiscal year 2013 and reflecting the status of the Board on June 30, 2013.

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 § 396-11.¹

Board 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, the Chair, who represents the public, one member who represents management, and the third member who represents labor. 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 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 governed by HRS § 89-5. 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 and confirmed for a six year term beginning on July 1, 2011; annual salary governed by HRS § 89-5. 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 had a solo private legal practice from 1998 - 2011. 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 served as the Chair of the Liliha Neighborhood Board 2003-2007, served as Vice Chair during her tenure on the Honolulu Planning Commission 1994-2007, 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 governed by HRS § 89-5. 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 Staffⁱ

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 \$97,332. 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. 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:

Unit	Statutory Description
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.

Unit	No. of Employees	Exclusive Representative	Date of Initial Certification
1	8,338	UPW	10/20/1971
2	730	HGEA	10/20/1971
3	15,500	HGEA	4/3/1972
4	830	HGEA	5/3/1972
5	12,453	HSTA	05/21/71
6	700	HGEA	6/10/1971
7	3,881	UHPA	11/1/1974
8	1,820	HGEA	1/26/1973
9	1,490	HGEA	7/10/1979
10	2,813	UPW	2/11/1972
11	1,878	HFFA	2/4/1972
12	2,802	SHOPO	7/14/1972

13	7,190	HGEA	5/3/1972
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The statistics are based on HLRB Informational Bulletin No. 50, dated April 9, 2012 and from the HGEA website. There are approximately 60,425 government employees in bargaining units as shown in the chart above.

VI. CASES BEFORE THE BOARD DURING FY 2013

Case Statistics

The following represents the cases filed and pending before the Board in FY 2013:

Type	Pending - 6/30/12	Filed	Closed	Pending - 6/30/13
PPC ⁱⁱⁱ - Employer	80	22	14	88
PPC - Union	15	4	3	15
PPC - Employee	1	0	0	1
Impasse	7	9	10	6
DR ^{iv}	2	2	2	2
RA ^v	4	1	1	4
Public Collective Bargaining Sub-Total	109	38	31	116
Unfair Labor Practice - (Private Employee) Sub-Total	1	0	1	0
HIOSH - Citation	15	17	14	18
Discrimination	6	0	3	3
HIOSH Sub-Total	21	17	17	21
TOTALS	130	55	48	137

In FY 2013, a total of 38 public sector employment cases 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, 17 HIOSH cases were filed with the Board. The Board issued 71 Orders related to collective bargaining cases and 34 HIOSH orders. See Appendices for case dispositions.

VII. PUBLICATIONS

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 covering the years 2006-2008 have been issued. Copies of recent decisions are available on the Board's website at 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.

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.

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. As an example, the HIOSH Director has begun to attend initial/settlement conferences for most HIOSH appeals. The Board continues to promote harmonious and cooperative relations between government and its employees and to encourage public employers and exclusive representatives to attend prehearing/settlement conferences with their legal counsel in an effort to encourage the parties to work out their differences. In some 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 continues to be 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, 128 cases pending at the close of FY 2012 and 135 cases pending at the close of FY 2013. 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^{vi} to assist in researching the complex issues presented, promulgating administrative rules and drafting decisions and orders.

In 2011, HLRB developed a five-year plan to fulfill its mission more efficiently and effectively and to address its growing case backlog with the current staff. Since 2011, HLRB has created a master electronic file of all active cases. Now, the HLRB is able to concentrate on scanning all closed cases prior to 2011 that are statutorily required to be archived for 20 years.

In 2012, the HLRB equipped its hearing room with four laptops enabling the HLRB Members and a staff member access to its master electronic file during hearings. This has enabled HLRB to reduce the amount of copies for each document filed to an original and one copy.

In 2012, the HLRB also began to research the creation of an e-Filing system. Three options were considered. The HLRB contacted Hawaii Information Consortium and researched hiring a private company to develop a program, neither of which produced any results. The HLRB found that to design a software program could cost \$600,000 or more including annual maintenance costs. The third option considered is a purchase of services from a company offering e-Filing services on the company's website. Typically, the service includes, uploading, storage, and maintenance. The annual cost is around \$30,000 for the number of filings that the HLRB experiences per year for collective bargaining and HIOSH appeals. The cost for this option is more fiscally feasible for HLRB versus developing its own software program, as it does not require an upfront large capital expense and it includes maintenance and updates. HLRB is in the process of developing and offering a limited trial project for collective bargaining cases on a voluntary basis.

In 2013, the Legislature authorized the HLRB to mail its hearing notices by first class mail effective in June, 2013. The HLRB now sends its hearing notices by priority mail, a form of first class mail that provides proof of receipt. Purchase of postage and labeling is now done through the United State Postal Service on-line services, and the mail can now be deposited in any mail box. This enables the HLRB to realize savings in postage cost and staff time.

In 2013, at the HLRB's request, the Legislature restored a hearings officer position as a temporary position and appropriated funding beginning January 1, 2014. This position will directly assist the Board with drafting decisions and orders and Board rules, i.e. "card check".

In the future, the Board will continue to address the backlog of cases by pursuing the restoration of the remaining lost positions and the development of a comprehensive e-Filing system to include both collective bargaining and HIOSH cases. The e-Filing system will allow all parties to file all documents, to serve documents on the opposing party, and ready access to documents 24 hours- 7 days a week. Savings on postage and paper costs will benefit the State, HLRB and the parties. More importantly, the

Board's operations will become more effective and efficient to the population it serves.

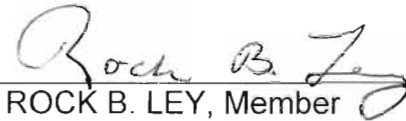
Respectfully submitted,



JAMES B. NICHOLSON, Chairperson



SESNITA A.D. MOEPONO, Member



ROCK B. LEY, Member

Dated: December 26, 2013

ⁱ 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.

ⁱⁱ The Board has one permanent position (Secretary IV) and six temporary positions. The six temporary positions include three Board member positions, the executive director, the legal clerk (civil service) and a hearings officer (budgeted from 1/1/14). Six positions have been continuously filled for at least the past 10 years.

ⁱⁱⁱ PPC (Prohibited Practice Complaint)

^{iv} DR (Declaratory Ruling)

^v RA (Clarification or Amendment of Appropriate Bargaining Unit)

^{vi} Three staff positions were lost in 1997, including one hearings officer (attorney), one attorney and one paralegal. The loss of these three positions has impacted the HLRB severely and has contributed to the HLRB's growing case backlog.

Cases Closed During FY 2013

Case No.	Parties	Concerns	Disposition
11-1(CE)	ILWU v. Alexander & Baldwin Inc., Hawaiian Commercial & Sugar Co., Keith Goto and Rick W. Volner, Jr.	Interference and discrimination	Order No. 2862 Granting Complainant's Motion to Withdraw, Filed on September 17, 2012.
CE-01-794	Williams v. DES	Violation of collective bargaining agreement: policies & procedures regarding routes.	Order No. 2842 - Withdrawn, Filed on 4/17/2013
CE-01-802 CU-01-315	Gerald Nakamoto v. Department of Defense; Brian Cremer and UPW	Denial of temporary assignment pay	Order No. 2010 granting Respondents' motions to dismiss complaint issued on 5/1/13.
CE-03-818	Saliyat Hussain v. Hawaii Health Systems Corporation	Termination	Order No. 2901 Granting Complainant's Withdrawal of Complaint, issued on 3/12/13,
CE-05-781	HSTA v. Neil Abercombie, Kalbert Young, Neil Dietz, Kathryn Matayoshi, Donald G. Horner, and James D. Williams	Failure to bargain; unilateral implementation of last, best and final offer	Order No. 2012 Granting Withdrawal of Prohibited Practice Complaint, filed on July 8, 2011, issued on 5/13/13.
CE-05-783	HSTA v, Halau Lokahi, LSB, June Nagasawa, and Laara Allbrett	Subcontracting	Order No. 2871 dismissing Complaint issued on 12/24/12.

Cases Closed During FY 2013

Case No.	Parties	Concerns	Disposition
CE-07-799	UHPA v. BOR	Retaliation	Order No. 2013 Granting Complainant's Motion to Withdraw Prohibited Practice Complain Filed on May 11, 2012, issued on 5/13/13.
CE-07-800	UHPA v. BOR and Neil Abercrombie	EUTF	Order No. 2857 Approving Stipulated Withdrawal of Prohibited Practice Complaint, Filed on July 3, 2012.
CE-07-805	UHPA v. BOR	Refusal to provide information	Order No. 2011 granting Complainant's Motion to Withdraw Prohibited Practice Complaint, Filed on May 3, 2013 issued on 5/7/13,
CE-07-819	UHPA v. BOR	Whether a union has the right to attend interviews during an Employer's investigation prior to any action against an employee.	Order No. 2908 - Dismissed, Filed on 4/23/2013
CE-09-810	Jennie Grace v. Hilo Medical Center, Hawaii Health Systems Corporation	Termination	Order No. 2926 Granting Complainant's Motion to Withdraw Complaint Filed on October 18, 2012, Filed on June 10, 2013, issued on 6/21/13.
CE-11-725	HFFA v. Charmaine Tavares, Jeffrey A. Murray, and Robert M. Shimada	Discrimination	Order No. 2857 Approving Stipulation to Withdraw Prohibited Practice Complaint, Filed on 8/24/09, Without Prejudice, issued on 7/11/12.

Cases Closed During FY 2013

Case No.	Parties	Concerns	Disposition
CE-11-814	HFFA v. Bernard P. Carvalho, Jr., Robert Westerman,, Fire Department, Malcolm C. Fernandez, Department of Personnel Services, and County of Kauai	Unilateral implementation of promotional process	Order No. 2876 Approving Stipulation to Withdraw Prohibited Practice Complaint Filed on November 27, 2012 Without Prejudice, issued on 1/25/13.
CE-11-815	HFFA v. Peter Carlisle, Honolulu Fire Department, and City and County of Honolulu	Failure to negotiate over vacations	Order No. 2018 Granting HFFA/IAFF's Motion to Withdraw Prohibited Practice Complaint Filed on November 27, 2012 issued on 6/4/13.
CE-13-786	HGEA v. Wesley Lo, Eddie Espiritu, Lisa Knutson, and Trudi Tobin	Failure to consult over pharmacy night shirt	Order No. 2865 Approving Stipulation to Dismiss Prohibited Practice Complaint with Prejudice issued on 10/19/12.
CE-13-811	HGEA v. Bruce Anderson and Wesley Lo	Reimbursement per Settlement Agreement.	Order No. 2904 Granting Complainant's Motion to Withdraw Complaint Filed on November 2, 2012, issued on 3/21/13,
CU-03-314	Clarence Yamamoto, Brooks Tamaye, Howard Rodrigues, John Yamamoto, John De Jesus, Nathan Hillen, Gorden Yen, Jeffrey Kinores, Kief Apo, Wesley Purdy, and Michael Coelho v. EA, Brandon Lee, Alton Watanabe, and Tehani	DFR	Order No. 2888 Dismissing Amended Prohibited Practice Complaint issued on 2/22/13.
CU-06-318	Anakonia Matsumoto v. HGEA	DFR	Order No. 2894 Approving Stipulation to Dismiss Prohibited Practice Complaint with Prejudice on 3/7/13.

Cases Closed During FY 2013

Case No.	Parties	Concerns	Disposition
CU-13-320	Dale Ken Takanishi and Hawaii Government Employees Association, AFSCME, Local 152, AFL-CIO	DFR	Order No. 2873 Granting Withdrawal of Prohibited Practice Complaint, Filed on January 10, 2013.
DR-00-103	Merit Appeals Board, SOH and Deborah Taylor & SOH - DPS	Whether HLRB has jurisdiction over excluded employees.	Order No. 2902 - Dismissed, Filed on 3/15/2013
DR-00-104	Merit Appeals Board, SOH and Jacqueline Mulleitner & SOH - DPS	Whether HLRB has jurisdiction over excluded employees.	Order No. 2902 - Dismissed, Filed on 3/15/2013
I-01-130	UPW v. Neil Abercrombie, Peter B. Carlisle, William Kenoi, Alan M. Arakawa, Bernard P. Carvalho, Jr.,	Statutory Impasse for Unit 01	Order No. 2866 Dismissing Impasse Case issued on 11/16/12.
I-01-142	UPW and Neil Abercrombie, Kirk Caldwell, William Kenoi, Alan M. Arakawa, Bernard P. Carvalho, Jr., Mark Recktenwald, and Hawaii Health Systems Corporation Board	Statutory Impasse	Order No. 2921 Dismissing Impasse Case issued on 6/19/13.
I-02-143	HGEA v. Neil Abercrombie, Kirk Caldwell, William Kenoi, Alan M. Arakawa, Bernard P. Carvalho, Jr., Mark Recktenwald, and Hawaii Health System Corporation Board	Statutory Impasse	Order No. 2922 Dismissing Case issued on 6/19/13.

Cases Closed During FY 2013

Case No.	Parties	Concerns	Disposition
I-03-144	HGEA v. Neil Abercrombie, Kirk Caldwell, William Kenoi, Alan M. Arakawa, Bernard P. Carvalho, Jr., Mark Recktenwald, and Hawaii Health System Corporation Board	Statutory Impasse	Order No. 2923 Dismissing Case issued on 6/19/13.
I-04-145	HGEA v. Neil Abercrombie, Kirk Caldwell, William Kenoi, Alan M. Arakawa, Bernard P. Carvalho, Jr., Mark Recktenwald, and Hawaii Health System Corporation Board	Statutory Impasse	Order No. 2924 Dismissing Case issued on 6/19/13.
I-05-134	HSTA v. Neil Abercrombie, Board of Education, and Kathryn Matayoshi	Statutory Impasse for Unit 05	Order No. 2017 Dismissing Statutory Impasse Case issued on 6/3/13.
I-08-147	HGEA v. Neil Abercrombie, Board of Regents and M.R.C. Greenwood	Statutory Impasse	Order No. 2425 Dismissing Case issued on 6/19/13.
I-09-137	HGEA v. Abercrombie et. Al.	Statutory Impasse	Order No. 2907 - Dismissed, Filed on 4/23/2013
I-10-138	UPW v. Neil Abercrombie, Kirk Caldwell, William Kenoi, Alan M. Arakawa, Bernard P. Carvalho, Jr., Marck Recktenwald, and HHSC	Statutory Impasse for Unit 10	Order No. 2874 Dismissing Impasse Case issued on 1/23/13.

Cases Closed During FY 2013

Case No.	Parties	Concerns	Disposition
I-10-149	UPW v. Neil Abercrombie, Peter B. Carlisle, Mark Recktenwald and HHSC	Statutory Impasse	Order No. 2907 dismissing impasse case issued on 4/23/13.
OSH 2011-6	DLIR v. Tesoro Hawaii Corporation	Citation - \$13,750.	Order No. 476 Approving Stipulation and Settlement Agreement issued on 7/12/12. \$9,625.00.
OSH 2012-1	DLIR v. Kawaihoa Development	Citation - \$9,375.	Order No. 479 Approving Stipulation and Settlement Agreement issued on 10/16/12. \$5,250.
OSH 2012-11	DLIR v. GOZIP, LLC	Citation	Order No. 499 Approving Stipulation and Settlement Agreement issued on 3/8/13. \$9900.00.
OSH 2012-13	DLIR v. Hilbers, Inc.	Citation - \$1,155.	Order No. 486 Approving Stipulation and Settlement Agreement issued on 10/16/12. \$742.50
OSH 2012-16	DLIR v. Aloun Farms, Inc.	Citation	Order No. 501 Approving Stipulation and Settlement Agreement issued on 3/11/13. \$18,000.

Cases Closed During FY 2013

Case No.	Parties	Concerns	Disposition
OSH 2012-17	DLIR v. Heritage Construction, Inc.	Citation - \$660.	Order No. 495 Approving Stipulation and Settlement Agreement issued on 2/1/13. \$495.00.
OSH 2012-18	DLIR v. Kelly Construction, Inc.	Citation	Order No. 503 Approving Stipulation and Settlement Agreement issued on 4/11/13. \$825.
OSH 2012-2	DLIR v. Beachside Roofing, LLC	Citation - \$3,000.	Order No. 479 Approving Stipulation and Settlement Agreement issued on 8/27/12. \$3,000.
OSH 2012-21	DLIR v. Kone, Inc.	Citation	Order No. 498 Approving Stipulation and Settlement Agreement issued on 2/27/13. \$770.00.
OSH 2012-4	Latasia Anzai-Torres v. Department of Public Safety and DLIR	Discrimination	Decision No. 26, Findings of Fact, Conclusions of Law and Order, dated 11/8/12.
OSH 2012-5	Chelsesa Gilleres v. Mandara Spa, LLC and DLIR	Discrimination	Order No. 477 Approving Compromise and Settlement Agreement and Withdrawal of Appeal issued on 8/2/12.

Cases Closed During FY 2013

Case No.	Parties	Concerns	Disposition
OSH 2012-6	Gloria Mauga v. Mandara Spa, LLC and DLIR	Discrimination	Order No. 478 Approving Compromise and Settlement Agreement and Withdrawal of Appeal issued on 8/2/12.
OSH 2012-8	DLIR v. Matsuyama Brothers Trucking, Inc.	Citation - \$78,000	Order No. 481 Dismissing Contest issued on 8/31/12.
OSH 2012-9	DLIR v. Hilton Hawaiian Village, LLC	Citation 0 \$2,052.50	Order No. 488 Approving Stipulation and Settlement Agreement issued on 11/1/12. \$2,042.50.
OSH 2013-1	DLIR v. Kirk Hunt Construction	Citation - \$2145	Order No. 472 Approving Stipulation and Settlement Agreement issued on 5/8/12. \$2145.

CASES PENDING AS OF JUNE 30, 2013

Case No.	Parties	Concerns	Status
CE-01-378a CE-03-378b CE-10-378c CE-13-378d	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 CE-04-537d CE-06-537e	UPW and HGEA v. Kathleen Watanabe and Linda Lingle	Charter School employees	Taken under advisement.
CE-01-539 Remand	UPW v. Patricia Hamamoto and Connections	Termination	Motion taken under advisement.
CE-01-545a CE-10-545b	UPW v. Kathleen Watanabe and Linda Lingle	Refusal to bargain over rules	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-01-558	UPW v. Watada, et al.	Union filed motion to reopen proceedings	Pending.
CE-01-565a CE-02-565b CE-03-565c CE-04-565d	UPW and HGEA v. Patricia Hamamoto and BOE	Charter School employees	Motion taken under advisement.

CASES PENDING AS OF JUNE 30, 2013

Case No.	Parties	Concerns	Status
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-01-594	UPW v. Watada, et al.	Union filed motion to reopen proceedings	Pending.
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-01-627 On Remand	UPW	UPW filed Motion to Amend Order No. 2432	Taken under advisement.
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.
CE-01-647	UPW v. City and County of Honolulu, Kenneth Nakamatsu, and Clifford Lum	Request for Information - private contracts	Pending discussions.

CASES PENDING AS OF JUNE 30, 2013

Case No.	Parties	Concerns	Status
CE-01-650	UPW v. Mufi Hannemann and Kenneth Nakamatsu	Failure to provide information	Pending.
CE-01-706	UPW v. Mufi Hannemann	Refusal to sign grievance settlement	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-01-712a CE-10-712b	UPW v. Linda Lingle	Order No. 2633	Further proceedings to be scheduled.
CE-01-715a CE-10-717b	UPW v. Linda Lingle and Marie Laderta	Refusal to bargain	Motions taken under advisement.
CE-01-720a CE-10-720b	UPW v. Marie Laderta	Refusal to bargain - layoffs	Taken under advisement.
CE-01-724	UPW v. Jeffrey S. Cudiamat, Kenneth Nakamatsu, and Mufi Hannemann	Expiration of supplemental agreements	Hearing continued.
CE-01-747	UPW v. Aaron Ueno and Dr. Chiyome Fukino	Information request	Parties attempting to resolve.

CASES PENDING AS OF JUNE 30, 2013

Case No.	Parties	Concerns	Status
CE-01-762a CE-10-762b	UPW v. Diane M. Niles-Hansen, et al.	Remanded by Circuit Court. Determination of dismissal with or without prejudice.	Further proceedings to be scheduled.
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.
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-01-775a CE-10-775b	UPW v. Noel Ono	Failure to provide information.	Motion taken under advisement.
CE-01-776a CE-10-776b	UPW v. BOE, et al.	Charter Schools	Parties exchanging information.
CE-01-778	UPW v. Tim Steinberger	Refusal to provide information.	Motion taken under advisement.
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.

CASES PENDING AS OF JUNE 30, 2013

Case No.	Parties	Concerns	Status
CE-01-791	UPW v. Corp Bd. of HHSC	Denial of information	Parties agreed to defer to arbitration.
CE-01-796	Michael Botheilho v. Dept. of Water Supply, County of Maui	Failure to consult or negotiate	Pending Motion to Dismiss
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-01-807	UPW v. Peter Carlisle, Department of Environmental Services and Rialrome Thornton	Direct dealing	Prehearing scheduled.
CE-01-808 CU-01-317	Michael Hikalea v. C&C Honolulu, Dept. of Environmental Svs., David Shiraishi, Kirk Calwell, Howard Kahue, Brandon McConnel, Laurie Santiago & Dayton Nakanelua	Breach of contract; Breach of duty of fair representation	Pending Hearing on the Merits.
CE-02-546a CE-03-546b CE-04-546c CE-09-546d CE-13-546e	HGEA v. Kathleen Watanabe and Linda Lingle	Failure to negotiate policies	Pending.
CE-02-553a CE-03-553b CE-04-553c CE-09-553d CE-13-553e	HGEA v. Linda Lingle and Kathleen Watanabe	Discontinuation of prior practices	Consolidated with CE-01-552, et seq.

CASES PENDING AS OF JUNE 30, 2013

Case No.	Parties	Concerns	Status
CE-02-632a CE-03-632b CE-04-632c CE-09-632d CE-13-632e	HGEA v. Linda Lingle, Chiyome Fukino and Mark Fridovich	Failure to negotiate/consult of smoke free Hawaii State Hospital	Taken under advisement.
CE-02-639a CE-03-639b CE-04-639c CE-09-639d CE-13-639e	HGEA v. Linda Lingle, Chiyome Fukino and Mark Fridovich	Failure to bargain over no smoking policy	Motion to dismiss pending.
CE-02-728a CE-03-728b CE-04-730c CE-09-730d CE-13-730e	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 CE-09-730d CE-13-730e	HGEA v. Vincent S. Lee	Use of email	Taken under advisement.
CE-02-736a CE-03-736b CE-04-736c CE-13-736d	HGEA v. Linda Lingle and Darwin Ching	Failure to consult - state to federally funded positions	Taken under advisement.
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-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-03-703a CE-04-703b	HGEA v. Linda Lingle and Darwin Ching	Opening of Kaneohe office	Motion taken under advisement.

CASES PENDING AS OF JUNE 30, 2013

Case No.	Parties	Concerns	Status
CE-03-749a CE-04-749b	HGEA v. Linda Lingle, Clayton Frank and Chiyome Fukino	Contracting out of security	Motion taken under advisement.
CE-03-766	HGEA v. Linda Lingle, Laura H. Thielen, Mark S. Young, and Russell Y. Tsuji	Retaliation against grievant	Taken under advisement.
CE-03-787	HGEA v. Neil Abercrombie, William J. Aila and Randy L. Awo	DOCARE water craft policy	Pending scheduling of hearing.
CE-03-806	HGEA v. Neil Abercrombie, William J. Aila, Randy L. Awo and Clarence M. Yamamoto	Interference	Prehearing scheduled.
CE-03-809	HGEA v. Neil Abercrombie, William J. Aila, Randy L. Awo and J. Holly Leong	Refusal to pay OT in arbitration	Pending.
CE-03-812 CU-03-319	Chad Vincent Medeiros v. Robert F. Westerman, Dale Shimomura, and HGEA	Harassment and Breach of Duty of Fair Representation	Motion taken under advisement.
CE-03-821	Kulamanu Kikila v. DOE	Pay	Hearing scheduled.
CE-03-824	HGEA v. Neil Abercrombie, Donald G. Horner, BOE, Kathryn Matayoshi, and DOE	Educational assistants	Hearing scheduled.

CASES PENDING AS OF JUNE 30, 2013

Case No.	Parties	Concerns	Status
CE-05-637	HSTA v. Department of Education	Student medication	Taken under advisement.
CE-05-661	HSTA v. Patricia Hamamoto, BOE, Linda Lingle, and Marie Laderta	Step movements	Motions pending.
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.
CE-05-677	HSTA v. Jennifer Kehe	Refusal to provide information.	Motion 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.
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.

CASES PENDING AS OF JUNE 30, 2013

Case No.	Parties	Concerns	Status
CE-05-782	HSTA v. Kihei Charter School, Local School Board, and Gene Zarro	Direct dealing	Motion taken under advisement.
CE-05-784	HSTA v. Kathryn Matayoshi and Dana Kobashigawa	KOLA	Status conference scheduled.
CE-05-817	Janet Weiss v. Patricia Champagne, Janette Snelling, Catherine Bratt, and Art Souza	Retaliation and Harassment	Motion taken under advisement.
CE-05-820	HSTA v. Kathryn Matayoshi and Annette Anderson	Online learning	Status conference scheduled.
CE-06-813	HGEA v. Hawaii Technology Acaday Public Charter School, HTA, PCS LSB, and Louise Saint-Cyr, Chair	Employee terminated	Status conference scheduled.
CE-07-674	UHPA v. BOR	Limitation on summer school classes	Motions taken under advisement.
CE-07-804	UHPA v. BOR and Neil Abercrombie	EUTF	Prehearing scheduled.
CE-07-826	UHPA v. BOR and Neil Abercrombie	EUTF contributions	Hearing scheduled.

CASES PENDING AS OF JUNE 30, 2013

Case No.	Parties	Concerns	Status
CE-09-731	Valerie Stephen v. Hawaii Health Systems Corp.	Retaliation by Employer; Breach of Duty of fair representation	Defer proceedings for Merit Appeals Board Process
CE-09-825	HGEA v. Neil Abercrombie, BOE, and Recktenwald	Noncompliance with arbitration award	Hearing scheduled.
CE-10-705	UPW v. Elizabeth Char and Donald Gates	Third Man permanent position	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-10-719	UPW v. Chiyome Fukino, Mari Laderta, and Linda Lingle	Not recognizing grievance.	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.
CE-10-726	UPW v. Marie Laderta	Employer's refusal to proceed with the arbitrator selection process	Pending Hearing on the Merits.

CASES PENDING AS OF JUNE 30, 2013

Case No.	Parties	Concerns	Status
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	Breach of Duty of Fair Representation - HCCC	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.
CE-10-753	UPW v. Chiyome Fukino and Marie Laderta	Information for grievance	Motion taken under advisement.
CE-10-761	UPW v. Michael Fujioka and Marie Laderta	Reimbursement of workers compensation expenses	Hearing to be rescheduled.
CE-10-816	UPW v. C&C, Honolulu Emergency Services Dept.	Refusal to arbitrate	Case Settled.
CE-12-696	SHOPO v. Mufi Hannemann, Boisse Correa, and C&C	Restriction of policy authority	Motion taken under advisement; mediation scheduled.
CE-12-822	Shelly Rodrigues v. Darryl Perry and Michael Contrades	Noncompliance with Step 3 decision.	Motion hearing scheduled.

CASES PENDING AS OF JUNE 30, 2013

Case No.	Parties	Concerns	Status
CE-12-823	SHOPO v. Alan Arakawa and Gary Yabuta	Retaliating and violating an employee's collective bargaining rights.	Hearing scheduled.
CE-13-709	HGEA v. Department of Taxation	Outsourcing	Motion taken under advisement.
CE-13-788	Henry H, Yang, M.D. v. Loretta Fuddy	Termination of part time psychiatrist	Motion taken under advisement.
CE-13-792	Bernard J. Wilson v. Abercrombie, et. al.	Breach of contract	Pending Hearing on the Merits.
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-01-271a CU-10-271b	Marie Laderta v. UPW	Yamasaki arbitration	Resolved; pending withdrawal of complaint.
CU-01-282	Matthew M. Taamu v. UPW, Dayton Nakanelua, and Eddie Akau	Breach of Duty of Fair Representation	Order to issue.
CU-01-310	Volcano School of Arts and Sciences v. UPW and Dayton Nakanelua	Selection of arbitrators	Motions taken under advisement.

CASES PENDING AS OF JUNE 30, 2013

Case No.	Parties	Concerns	Status
CU-01-311	Ke Kula O Samuel M. Kamakau Lab v. UPW and Dayton Nakanelua	Selection of arbitrators	Motion taken under advisement.
CU-04-291	Susan Siu v. Randy Perreira and HGEA	Breach of Duty of Fair Representation	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.
CU-05-267	Linda Lingle, Marie Laderta v. HSTA	Refusal to bargain over random drug and alcohol testing procedures.	Pending hearing on Respondent's Motion for Summary Judgment.
CU-05-302	Shanye N. Valeho-Novikoff v. Wilfred Okabe, Wilbert Holck, Christopher Chang and HSTA	Breach of Duty of Fair Representation	Motion taken under advisement.
CU-05-303	Stephanie C. Stucky v. Wilfred Okabe and HSTA	Breach of Duty of Fair Representation	Motion taken under advisement.
CU-05-305	Education Laboratory School v. HSTA	Failure to bargain over Supplemental Agreement.	Motion taken under advisement.
CU-05-321	Janet Weiss v. Wil Okabe, Leroy Simms, and HSTA	Breach of Duty of Fair Representation	Pending.

CASES PENDING AS OF JUNE 30, 2013

Case No.	Parties	Concerns	Status
CU-10-278	State of Hawaii, City & County of Honolulu, et. al. v. UPW	Failure to follow selection of arbitrator process	Pending
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.
DR-13-102	Henry H, Yang, M.D.	Privatization of position	Pending ruling on CE-13-788.
I-05-109	HSTA v. Linda Lingle, et. al.	Statutory Impasse	Pending Order to Dismiss.
I-06-146	HGEA v. Neil Abercrombie, et al.	Statutory Impasse	Pending arbitration.
I-10-148	UPW v. Neil Abercrombie	Statutory Impasse	Case Submitted to arbitration panel.
I-11-139	HFFA v. Abercrombie, et al.	Statutory Impasse	Pending arbitration.
I-12-140	SHOPO v. Abercromibe, et al.	Statutory Impasse	Pending arbitration.

CASES PENDING AS OF JUNE 30, 2013

Case No.	Parties	Concerns	Status
I-13-148	HGEA v. Abercrombie, et al.	Statutory Impasse	Pending arbitration.
RA-03-239a RA-04-239b RA-14-239c	HGEA	Unit 14	Pending.
RA-05-236	HSTA v. HGEA and DOE	Tech coordinators	Hearing to be rescheduled.
RA-05-238	HSTA v. Kathryn Matayoshi	Unit clarification of E-school instructors	Hearing to be rescheduled.
RA-07-232	UHPA v. BOR	Faculty Librarians	Taken under advisement.
(Z) OSH 2007-22	DLIR v. Hilton Hotels Corporation	Citation \$2,625.	Taken under advisement.
(Z) OSH 2009-10	DLIR v. International Roofing & Building Construction, Inc.	Citation - \$42,000	Taken under advisement.
(Z) OSH 2009-36	DLIR v. Coastal Construction Co., Inc.	Fall protection	Taken under advisement.

CASES PENDING AS OF JUNE 30, 2013

Case No.	Parties	Concerns	Status
(Z) OSH 2011-10	James P. Stone v. Hawaii Air Ambulance and DLIR	Discrimination	Status conference scheduled.
(Z) OSH 2011-16	Mariano Mendoza v. Royal Lahaina and DLIR	Discrimination	Pending settlement.
(Z) OSH 2011-19	DLIR v. 1st Green Solutions, LLC	Citation - \$4,500	Motion taken under advisement.
(Z) OSH 2011-21	DLIR v. Donaldson Enterprises, Inc.	Citation - \$415,000.	Motion hearing scheduled.
(Z) OSH 2012-10	DLIR v. Hawaii Nui Brewing LLC	Citation - \$3,300.	Initial conference scheduled.
(Z) OSH 2012-10	DLIR v. ThyssenKrupp Elevator Corp.	Citation - \$962.50	Pending decision.
(Z) OSH 2012-12	DLIR v. Kawika's Painting, Inc.	Citation - \$1,925.	Initial conference scheduled.
(Z) OSH 2012-15	DLIR v. R.D. Olson Construction, Inc.	Citation - \$2,310.	Trial scheduled.

CASES PENDING AS OF JUNE 30, 2013

Case No.	Parties	Concerns	Status
(Z) OSH 2012-19	DLIR v. Otis Elevator Co.	Citation - \$962.50	To be settled.
(Z) OSH 2012-3	DLIR v. Hi Tech Roofing, Inc.	Citation - \$750	Trial scheduled.
(Z) OSH 2012-7	Brian Santore v. Grand Wailea and DLIR	Discrimination	Initial conference scheduled.
(Z) OSH 2013-2	DLIR v. Tory's Roofing & Waterproofing, Inc.	Fall protection - \$1,375.	Initial conference rescheduled.
(Z) OSH 2013-3	DLIR v. Certified Hawaii and successor Associa Hawaii	Citation \$1,750.	Status conference scheduled.
(Z) OSH 2013-6	DLIR v. Petrochem Insulation Inc.	Citation - \$412.50	Initial conference scheduled.
(Z) OSH 2013-7	DLIR v. Hunt Building Co., Ltd.	Citation - \$825.	Initial conference scheduled.
(Z) OSH 2013-8	DLIR v. IES Residential Inc.	Citation - \$825.	Initial conference scheduled.

CASES PENDING AS OF JUNE 30, 2013

Case No.	Parties	Concerns	Status
(Z) OSH 2013-9	DLIR v. Island Wide Roofing, Inc.	Citation - \$1,155	Status conference scheduled.
(Z) OSH 2013-9	DLIR v. Island Wide Roofing, Inc.	Citation - \$2,200.	Initial conference scheduled.