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Case No. CE-07-866

STATE OF HAWAII

HAWAII LABOR RELATIONS BOARD

In the Matter of

UNIVERSITY OF HAWAII
PROFESSIONAL ASSEMBLY,

Complainant,

and

BOARD OF REGENTS, University of
Hawaii,

Respondent.

CASE NO. CE-07-866

ORDER NO. 3100

ORDER GRANTING
RESPONDENT BOARD OF
REGENTS, UNIVERSITY OF
HAWAII'S MOTION TO
POSTPONE HEARING AND
EXTEND DEADLINE DATES
CONCERNING COMPLAINT
FILED ON AUGUST 18, 2015;
NOTICE OF RESCHEDULED
PREHEARING/SETTLEMENT
CONFERENCE, HEARING ON
THE PROHIBITED PRACTICE
COMPLAINT AND DEADLINES

ORDER GRANTING RESPONDENT BOARD OF REGENTS, UNIVERSITY OF
HAWAII'S MOTION TO POSTPONE HEARING AND EXTEND DEADLINE
DATES CONCERNING COMPLAINT FILED ON AUGUST 18, 2015; NOTICE OF
RESCHEDULED PREHEARING/SETTLEMENT CONFERENCE, HEARING ON
THE PROHIBITED PRACTICE COMPLAINT AND DEADLINES

I. HISTORY

On August 18, 2015, Complainant UNIVERSITY OF HAWAII
PROFESSIONAL ASSEMBLY (Complainant) filed the instant prohibited practice
complaint with the Hawaii Labor Relations Board (Board).

On August 19, 2015 the Board sent to the Respondent BOARD OF
REGENTS, UNIVERSITY OF HAWAII (Respondent) and Complainant the NOTICE
TO RESPONDENT(S) OF PROHIBITED PRACTICE COMPLAINT; NOTICE OF
PREHEARING/SETTLEMENT CONFERENCE AND NOTICE OF HEARING ON
THE PROHIBITED PRACTICE COMPLAINT (Notice).

On August 24, 2015, Respondent filed RESPONDENT BOARD OF
REGENTS, UNIVERSITY OF HAWAII'S MOTION TO EXTEND TIME TO

I do hereby certify that this is a full, true and
correct copy of the original on file in this office.


Hawaii Labor Relations Board

ANSWER OR OTHERWISE RESPOND TO COMPLAINT FILED ON AUGUST 18, 2015 (Respondent's Motion to Extend Time to Answer). Respondent requested an extension of one month to file its answer and corresponding deadline dates for the prehearing conference and the hearing be extended. Counsel for Respondent also represented in its motion that she had communicated with counsel for Complainant and "Counsel for UHPA represented that he did not object to the Board granting an additional extension of time of one month from the original deadline date to the Respondent to answer or otherwise respond to the Prohibited Practice Complaint. In addition, the Board received no opposition from Complainant."

On August 28, 2015, the Board issued Order No. 3086, based on the foregoing, granting Respondent's Motion to Extend Time to Answer and extending the deadline for Respondent's answer to September 28, 2015 and rescheduled the Prehearing/Settlement Conference from September 8, 2015 to October 8, 2015 at 10:00 a.m. and hearing on the merits of the instant complaint from September 23, 2015 to October 23, 2015 at 9:00 a.m.

Based on the request and representations made by Respondent and the absence of any objection by the Complainant, the parties have been deemed to have waived the requirements of § 377-9(b), Hawaii Revised Statutes and § 12-42-46(b), Sub-Chapter 3, Chapter 42, Title 12, Hawaii Administrative Rules mandating that the hearing on the Complaint "be held no less than ten and nor more than forty days after the filing of the Complaint or amendment thereof."

On September 29, 2015, the Board issued Order No. 3099 rescheduling the hearing on the merits from October 23, 2015 to November 4, 2015 at 9:00 a.m.

II. RESPONDENT BOARD OF REGENTS, UNIVERSITY OF HAWAII'S MOTION TO POSTPONE HEARING AND EXTEND DEADLINE DATES CONCERNING COMPLAINT FILED ON AUGUST 18, 2015

On October 1, 2015, Respondent filed with the Board, RESPONDENT BOARD OF REGENTS, UNIVERSITY OF HAWAII'S MOTION TO POSTPONE HEARING AND EXTEND DEADLINE DATES CONCERNING COMPLAINT FILED ON AUGUST 18, 2015 (Motion). Respondent requested a postponement of the November 4, 2015 hearing date by an additional time of four months and a corresponding extension of time for the October 8, 2015 Prehearing/Settlement conference and of all deadline dates for the filing of pleadings, etc. The Board deems this request by Respondent to include an extension to file its answer since none has been filed with the Board.

On October 1, 2015, Complainant filed its no opposition to Respondent's Motion.

Based on the foregoing and for good cause shown, the **BOARD HEREBY GRANTS** Respondent's Motion and extends the Prehearing/Settlement conference, Hearing on the Merits and all deadline dates for the filing of pleadings, etc by four months.

Accordingly, the Prehearing/Settlement Conference scheduled for October 8, 2015 at 10:00 a.m. and the Hearing on the Merits scheduled for November 4, 2015 at 9:00 a.m. have been taken off the calendar.

III. NOTICE OF RESCHEDULED PREHEARING/SETTLEMENT CONFERENCE, HEARING ON THE PROHIBITED PRACTICE COMPLAINT AND DEADLINES

ACCORDINGLY, **NOTICE IS HEREBY GIVEN** that the Board will conduct a Prehearing/Settlement Conference on this matter on **Monday, February 8, 2016 at 9:00 a.m.** and a Hearing on the on the Prohibited Practice Complaint on **Friday, March 4, 2016 at 9:00 a.m.** in the Board's hearing room, Room 434, 830 Punchbowl Street, Honolulu, Hawaii.

Respondent's deadline to file an Answer is extended to January 26, 2016.

The parties shall file a Prehearing Statement which addresses the foregoing matters with the Board two days prior to the Prehearing/Settlement Conference.

All other information provided in the Board's August 19, 2015 Notice to Respondent(s) of Prohibited Practice Complaint; Notice of Prehearing/Settlement Conference and Notice of Hearing on the Prohibited Practice Complaint that have not been amended remains applicable to this matter.

UNIVERSITY OF HAWAII PROFESSIONAL ASSEMBLY v. BOARD OF
REGENTS, University of Hawaii, State of Hawaii

CASE NO. CE-07-866

ORDER GRANTING RESPONDENT BOARD OF REGENTS, UNIVERSITY OF
HAWAII'S MOTION TO POSTPONE HEARING AND EXTEND DEADLINE
DATES CONCERNING COMPLAINT FILED ON AUGUST 18, 2015; NOTICE
OF RESCHEDULED PREHEARING/SETTLEMENT CONFERENCE, HEARING
ON THE PROHIBITED PRACTICE COMPLAINT AND DEADLINES
ORDER NO. 3100

DATED: Honolulu, Hawaii, October 7, 2015.

HAWAII LABOR RELATIONS BOARD




KERRY M. KOMATSUBARA, Chair


SESNITA A.D. MOEPONO, Member


ROCK B. LEY, Member

Copies sent to:
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