

STATE OF HAWAII
PUBLIC EMPLOYMENT RELATIONS BOARD

In the Matter of)	
)	
EDUARDO E. MALAPIT, Mayor,)	Case No. <u>RA-12-31</u>
County of Kauai,)	
)	Decision No. <u>106</u>
Petitioner,)	
)	
and)	
)	
STATE OF HAWAII ORGANIZATION)	
OF POLICE OFFICERS (SHOPO),)	
)	
Exclusive)	
Representative.)	

FINDINGS OF FACT, CONCLUSIONS OF LAW,
AND ORDER

The Mayor of the County of Kauai by his Director of Personnel Services, Herbert T. Doi, on March 28, 1979, petitioned this Board for the exclusion from Unit 12 (police officers) of three police major positions in its police department. The State of Hawaii Organization of Police Officers (hereafter SHOPO), the exclusive representative of employees in Unit 12, has agreed to the requested exclusion.

On April 12, 1979, Mr. Doi provided this Board with the documentation* necessary to permit the Board to rule on the requested exclusions. Based upon the class specifications, position descriptions, table of organization and affidavit as to the current accuracy of the position descriptions provided by Mr. Doi, the Board makes the following:

*See Decisions 95 and 99 of this Board.

FINDINGS OF FACT

Eduardo E. Malapit, Mayor of the County of Kauai, is a public employer of employees in Unit 12. Herbert T. Doi is acting on behalf of the Mayor in requesting the subject exclusions.

SHOPO is the exclusive representative of Unit 12 (police officers). It concurs in the requested exclusions from Unit 12 of police major positions nos. 351, 352, and 371 in the Kauai Police Department and waives a hearing thereon.

The duties and responsibilities of said positions are set forth in current position descriptions which have been provided to the Board as part of this case. The position descriptions have been certified to be accurate by the supervisors, the chief of police and the incumbents in said positions.

Said position descriptions demonstrate that the incumbents are part of the top-level management of the Kauai Police Department.

CONCLUSIONS OF LAW

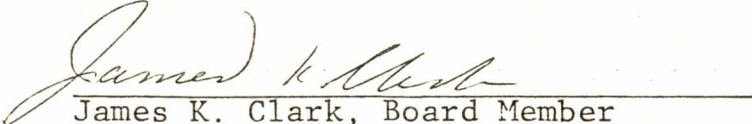
The County of Kauai by competent evidence has established that the subject three police major positions are top-level managerial positions which should be, under the provisions of Section 89-6, Hawaii Revised Statutes, excluded from Unit 12.

ORDER

Police Major Positions 351, 352, and 371 in the Police Department of the County of Kauai are excluded from Unit 12.

HAWAII PUBLIC EMPLOYMENT RELATIONS BOARD


Mack H. Hamada, Chairman


James K. Clark, Board Member


John E. Milligan, Board Member

Dated: April 19, 1979

Honolulu, Hawaii