

STATE OF HAWAII
PUBLIC EMPLOYMENT RELATIONS BOARD

In the Matter of:)	
)	
BOARD OF REGENTS, University)	Case Nos. <u>RA-08-39</u>
of Hawaii,)	<u>RA-07-39</u>
)	
Petitioner,)	
)	Decision No. <u>122</u>
and)	
)	
HAWAII GOVERNMENT EMPLOYEES')	
ASSOCIATION, LOCAL 152,)	
AFSCME, AFL-CIO,)	
)	
Exclusive)	
Representative,)	
Unit 8,)	
)	
and)	
)	
UNIVERSITY OF HAWAII,)	
PROFESSIONAL ASSEMBLY,)	
)	
Exclusive)	
Representative,)	
Unit 7.)	

FINDINGS OF FACT, CONCLUSION OF LAW,
AND ORDER

On January 7, 1980, the University of Hawaii Board of Regents (hereafter BOR) filed a petition with the Hawaii Public Employment Relations Board (hereafter Board) requesting the transfer of one position currently included in Unit 8 (Personnel of the University of Hawaii and the community college system, other than faculty) to Unit 7 (Faculty of the University of Hawaii and community college system).

Based upon the Petition, the Affidavit of the University's Vice President for Administration, Harold S. Masumoto, and the documents submitted in support of the petition, the board makes the following findings of fact, conclusion of law and order.

FINDINGS OF FACT

The BOR is the public employer as defined in Subsection 89-2(9), Hawaii Revised Statutes (hereafter HRS), of employees in Units 7 and 8.

The Hawaii Government Employees' Association (hereafter HGEA) is the certified exclusive representative of employees in Unit 8. The University of Hawaii Professional Assembly (hereafter UHPA) is the certified exclusive representative of Unit 7.

The HGEA concurs with the BOR's proposed transfer. UHPA has been advised of this petition and has not objected. All parties involved waive the right to a hearing thereon.

The position in question is Position No. 80781, Electronics Engineer II (Dr. Thomas B. McCord, incumbent). The incumbent directs scientific research as a principle investigator, has been appointed to the graduate faculty, actively advises four graduate assistants, and heads a unit of 20 personnel within the Hawaii Institute of Geophysics. Because these duties are encompassed in the faculty researcher class, the BOR intends to reclassify the position to the faculty research series rather than the administrative, professional, technical series.

CONCLUSION OF LAW

The BOR, by competent evidence, has established that the transfer of Position No. 80781 from Unit 8 to Unit 7 would be proper and consistent with Section 89-6, HRS.

ORDER

Position No. 80781 is transferred from Unit 8 to Unit 7.

The mechanics of the transfer shall be worked out among the parties to this case, provided that the effective date shall not be earlier than the date of this decision.

HAWAII PUBLIC EMPLOYMENT RELATIONS BOARD


Mack H. Hamada, Chairman


James K. Clark, Board Member


John E. Milligan, Board Member

Dated: January 25, 1980

Honolulu, Hawaii