

STATE OF HAWAII
PUBLIC EMPLOYMENT RELATIONS BOARD

In the Matter of)	
)	
HAWAII GOVERNMENT EMPLOYEES')	
ASSOCIATION, Local 152)	
(AFSCME/AFL-CIO))	Case No. <u>R-03-9</u>
)	
Petitioner,)	Decision No. <u>17</u>
)	
and)	
)	
STATE OF HAWAII)	
CITY AND COUNTY OF HONOLULU)	
COUNTY OF HAWAII)	
COUNTY OF MAUI)	
COUNTY OF KAUAI)	
)	
Employers.)	

CERTIFICATION OF EXCLUSIVE BARGAINING REPRESENTATIVE AND ORDER TO NEGOTIATE

A representation proceeding having been conducted pursuant to Stipulations for Election in the above entitled matter by the Public Employment Relations Board in accordance with the Hawaii Public Employment Relations Act and the Rules of Procedure of the Board, and it appearing that an exclusive bargaining representative has been selected; pursuant to the authority vested in the Board by the Hawaii Public Employment Relations Act, IT IS HEREBY CERTIFIED that the HAWAII GOVERNMENT EMPLOYEES' ASSOCIATION, LOCAL 152 (AFSCME/AFL-CIO) has been designated and selected by a majority of the white-collar non-supervisory employees of the above-named public employers, in the appropriate bargaining unit described herein, as their exclusive bargaining representative for the purpose of bargaining collectively on questions of wages, hours, and other terms and conditions of employment.

UNIT:

Included: All NON-SUPERVISORY employees in white-collar positions employed by the State of Hawaii, City and County of Honolulu, and the Counties of Kauai, Maui, and Hawaii, except those determined not to be eligible to vote.

Excluded:

STATE OF HAWAII

<u>Dept. of Accounting and General Services</u>	<u>Position Number</u>
Secy. to Deputy Director	3561
Pvt. Secy. to Dept. Head	2752
Stenographer III	12944
Personnel Clerk IV	17519
Personnel Clerk V	2757
Stenographer III	12054
Typist III	3565
Stenographer II	14424
Stenographer II	19
Clerk-Steno II	13904
Secretary	8386
Secretary	6198
Stenographer II	19039
 <u>Dept. of Agriculture</u>	
Secy. to Deputy Director	11018
Pvt. Secy. to Dept. Head	12339
Personnel Clerk V	12080
Personnel Clerk III	11574
Secretary	4689
Secretary	7515
Stenographer III	14951
Secretary	4055E
 <u>Office of the Attorney General</u>	
Personnel Tech VI	3294
Pvt. Secy. to Dept. Head	5246
Legal Steno I	6478
Legal Steno I	11597
Legal Steno I	6249
Legal Steno I	11561
Legal Steno I	3291
Legal Steno I	8580
Legal Steno I	3293
 <u>Budget and Finance</u>	
Pvt. Secy. to Dept. Head	12354
Secy. to Deputy Director	12937
Stenographer II	3497
Clerk-Steno II	9802
Typist II	9556
Clerk-Steno II	21569
Stenographer III	8765
Secretary	93
Stenographer III	19058
Stenographer III	134
Stenographer III	22343
Stenographer III	14297
Stenographer III	4887

<u>Dept. Of Defense</u>	<u>Position Number</u>
Pvt. Secy. to Dept. Head	5665
Secretary to Deputy Director	254
Secretary	8857
Personnel Clerk III	14196
Secretary	6841
Personnel Clerk IV	5681
Personnel Clerk IV	9550
 <u>Dept. of Education</u>	
Pers. Asst. to Program Chief	1779
Stenographer III	15659
Secretary to Deputy Director	6169
Pvt. Secretary to Dept. Head	11624
Secretary	14735
Stenographer III	21844
Typist I	15441
Operations Assistant	3845
Clerk-Reporter	17560
Pers. Asst. to Program Chief	1785
Pers. Asst. to program Chief	10409
Personnel Technician VI	19129
Personnel Clerk V	19238
Personnel Clerk IV	15521
Personnel Clerk III	15480
Personnel Technician VI	4312
Personnel Clerk V	3619
Personnel Clerk V	15361
Personnel Clerk V	19128
Personnel Clerk V	4311
Personnel Clerk V	14738
Personnel Clerk III	10408
Personnel Clerk V	19380
Personnel Clerk IV	13863
Stenographer III	10407
Personnel Clerk IV	14187
Personnel Clerk IV	14188
Personnel Clerk IV	17388
Personnel Technician VI	8762
Personnel Clerk V	19644
Personnel Clerk V	19127
Personnel Clerk III	12321
Personnel Clerk IV	22471
Personnel Clerk III	14378
Stenographer III	17518
Pers. Asst. to Program Chief	1784
Pers. Asst. to program Chief	11394
Stenographer III	11481
Personnel Clerk IV	15435
Personnel Clerk IV	10410
Personnel Clerk III	15437
Pers. Asst. to Program Chief	12263
Personnel Clerk IV	14790
Stenographer III	8911
Stenographer III	14377
Personnel Clerk III	19097
Stenographer III	21919
Pers. Asst. to Program Chief	8913
Personnel Clerk IV	15440
Pers. Asst. to Program Chief	1812
Personnel Clerk IV	15439

<u>Dept. of Education (continued)</u>	<u>Position Number</u>
Pers. Asst. to Program Chief	1818
Personnel Clerk V	12176
Secretary	12255
Pers. Asst. to Program Chief	1816
Personnel Clerk IV	15325
Stenographer III	19051
Pers. Asst. to Program Chief	1815
Stenographer III	5084
Pers. Asst. to Program Chief	4992
Stenographer III	14791
Stenographer III	21918
<u>Governor's Office</u>	
Stenographer III	19248
Secretary	19448
Legal Steno II	19450
Stenographer III	15033
Executive Secretary	12E
Admin. Secretary	9172
Receptionist	4830E
Steno Receptionist	183E
Clerk Stenographer	4479E
Clerk Stenographer	2719E
Dep. Exec. Secretary	200E
Secretary	6280E
Clerk Typist	3821E
Clerk Stenographer	6276E
Secretary	6142E
Chauffeur/Pers. Guard	18E
Clerical Aide	6270E
Secretary	762E
Stenographer	5633E
Secretary	5950E
Secretary	4325E
<u>Dept. of Hawaiian Home Lands</u>	
Pvt. Sec. to Dept. Head	1399
Sec. to Deputy Director	9580
<u>Dept. of Health</u>	
Pvt. Secy. to Dept. Head	2975
Secretary to Deputy Director	3890
Stenographer III	3141
Personnel Technician VI	2624
Personnel Clerk IV	2978
Personnel Clerk IV	986
Personnel Clerk II	15212
Stenographer III	2984
Stenographer III	2994
Secretary	2983
Stenographer III	7264
Secretary	911
Secretary	9999
Stenographer II	7810
Stenographer III	7037
Secretary	3184
Secretary	8695
Secretary	3161

<u>Dept. of Health (continued)</u>	<u>Position Number</u>
Secretary	2310
Secretary	12473
Secretary	3577
Pers. Asst. to Program Chief	17475
Stenographer III	22340
Secretary	21952
Hospital Adm. Secretary	20304
Personnel Technician VI	20435
Hospital Adm. Secretary	19862
Personnel Technician VII	21471
Hospital Adm. Secretary	20064
Personnel Technician VII	22840
Office Manager III	20909
Med. Record Tech. VI	20913
Hospital Adm. Secretary	20741
Personnel Clerk IV	21099
 <u>Judiciary</u>	
Adm. Asst. (Jud) II	3313
Adm. Asst. (Jud) II	12256
Adm. Asst. (Jud) II	8633
Adm. Asst. (Jud) II	12257
Adm. Asst. (Jud) III	3312
Secretary	22539
Adm. Asst. (Jud) II	3311
Personnel Clerk V	22121
Regr. of the Land Court VI	15
Circuit Court Clerk I	4702
Circuit Court Clerk I	4899
Circuit Court Clerk I	4698
Circuit Court Clerk I	4700
Circuit Court Clerk I	5758
Circuit Court Clerk I	8880
Circuit Court Clerk I	14899
Circuit Court Clerk I	14901
Circuit Court Clerk I	14904
Circuit Court Clerk I	14906
Circuit Court Clerk I	14902
Circuit Court Clerk I	12139
Secretary	5889
Stenographer III	19291
Secy. to Deputy Director	12544
Adm. Asst. (Jud) I	4808
Adm. Asst. (Jud) I	11402
Adm. Asst. (Jud) I	4830
Adm. Asst. (Jud) I	4849
Chief Dist. Court Clerk III	14546
Secretary	14496
Circuit Court Clerk I	4704
 <u>Labor and Industrial Relations</u>	
Pvt. Secy. to Dept. Head	58
Secy. to Deputy Director	13371
Stenographer III	8043
Personnel Clerk V	9869
Personnel Clerk V	8770
Secretary	4081
Secretary	7931
Stenographer III	21224

<u>Labor and Industrial Rel. (cont.)</u>	<u>Position Number</u>
Stenographer III	8868
Secretary	64
Secretary	1634
Stenographer III	66
Stenographer III	1626
Secretary	6132E
Stenographer III	6290E
Secy. to Director	1310E
Legal Steno	7370E
 <u>Land and Natural Resources</u>	
Pvt. Secy. to Dept. Head	2727
Secy. to Deputy Director	6645
Personnel Technician VI	2735
Stenographer III	14953
Secretary	7438
Stenographer III	2860
Stenographer III	11290
Stenographer III	12650
Secretary	9689
 <u>Lt. Governor's Office</u>	
Personal Secretary	197E
Secretary	449E
Election Assistant	606E
Election Clerk	3014E
Election Clerk	6131E
Election Clerk	5318E
Election Secretary	3015E
Election Clerk	4587E
Election Clerk	4834E
Election Clerk	4829E
 <u>Dept. of Personnel Services</u>	
Pvt. Secy. to Dept. Head	3301
Secretary to Deputy Director	13139
Personnel Clerk V	3305
Personnel Clerk V	17253
Personnel Clerk V	3597
Personnel Clerk V	9001
Personnel Clerk V	21818
Typist II	8051
Clerk II	11834
Stenographer III	12599
Typist I	22342
Personnel Technician VI	3306
Personnel Clerk II	11835
Typist II	14925
Personnel Technician VI	3303
Personnel Clerk V	3304
Personnel Clerk IV	4652
Typist II	17251
Typist II	13138
Typist II	17252
Stenographer III	11837
Stenographer III	8256
Stenographer II	7182
Supervising Clerk	3598
Typist II	22037

	<u>Position</u>
	<u>Number</u>
<u>Planning & Economic Development</u>	
Secy. to Deputy Director	10250
Pvt. Secy. to Dept. Head	10255
Personnel Technician VII	19539
Secretary	10251
Secretary	12312
Secretary	14768
Secretary	16060
Pers. Asst. to Program Chief	3819E
 <u>Regulatory Agencies</u>	
Secretary to Deputy Director	12686
Pvt. Secy. to Dept. Head	12342
Personnel Clerk IV	21806
Stenographer III	5913
Stenographer III	123
Stenographer III	133
Secretary	8694
Deputy Fire Marshall	7361
Chief Deputy Fire Marshall	124
Secretary	5737E
 <u>Dept. of Social Services, Housing</u>	
Pvt. Secy. to Dept. Head	1641
Secretary to Deputy Director	3784
Personnel Technician VI	1644
Personnel Clerk V	2622
Personnel Clerk IV	10844
Personnel Clerk III	15285
Stenographer III	5949
Secretary	2800
Secretary	12982
Secretary	4637
Secretary	1771
Legal Steno I	5073
 <u>Taxation</u>	
Pvt. Secy. to Dept. Head	1463
Secy. to Deputy Director	1503
Stenographer III	1562
Personnel Technician VI	12965
Personnel Clerk IV	1467
Secretary	1465
Secretary	1447
Secretary	1553
Secretary	1495
Stenographer III	1600
Stenographer III	1574
Stenographer III	1625
 <u>Dept. of Transportation</u>	
Pvt. Secy. to Dept. Head	2482
Secy. to Deputy Director	6938
Secy. to Deputy Director	16928
Secy. to Deputy Director	5621
Personnel Clerk V	6374
Personnel Clerk III	10395
Personnel Clerk V	5472
Personnel Clerk IV	11629

<u>Dept. of Trans. (continued)</u>	<u>Position Number</u>
Secretary	6514
Personnel Clerk IV	8802
Personnel Clerk III	19134
Secretary	6639
Secretary	10826
Personnel Clerk V	11368
Personnel Clerk III	19398
 <u>University of Hawaii</u>	
Typist III	14208
Stenographer III	3650
Stenographer III	13692
Stenographer III	11892
Secy. to Deputy Director	771
Secretary	17481
Personnel Technician VI	3395
Personnel Technician VII	14592
Personnel Clerk IV	18085
Personnel Clerk II	13705
Secretary	18549
Secy. to Deputy Director	5874
Personnel Clerk III	19018
Secretary	12072
Secy. to Deputy Director	486
Clerk-Stenographer II	14011
Personnel Technician VI	3896
Secy. to Deputy Director	11413
Secretary	3761
Secretary	10867
Secretary	745
Secretary	13686
Personnel Clerk IV	13855
Secretary	6725
Secretary	8040
Secretary	14869
Secretary	10016
Secretary	5873
Secretary	425
Secretary	790
Stenographer III	15286
Secretary	8823
Secretary	13479
Secretary	7469
Secretary	9070
Secy. to Deputy Director	22232
Secretary	10110
Secretary	18959
Secy. to Deputy Director	13830
Secretary	21236
Secretary	17843
Secretary	10391
Secretary	1904
Secretary	21338
Personnel Clerk V	21993
Secretary	17714
Secretary	1909
Secretary	10938
Secretary	12959
Secretary	14055

<u>University of Hawaii (cont.)</u>	<u>Position Number</u>
Personnel Clerk IV	764
Secretary	773
Secretary	12884
Personnel Clerk IV	18536
Personnel Clerk V	22568
Personnel Clerk II	22567
Personnel Clerk V	18535
Clerk Reporter	483
Secretary	18529

and all supervisory, professional and scientific employees, part-time employees working less than 20 hours per week, temporary employees of 3 months duration or less, commissioned and enlisted personnel of the Hawaii National Guard, and all other employees.

CITY AND COUNTY OF HONOLULU

Private Secretary I	AD 111
Private Secretary II	AD 102
Private Secretary I	BD 325
Private Secretary II	BD 301
Personnel Clerk I	BD 335
Secretary I	BW 331
Secretary I	BW 381
Secretary I	BW 382
Secretary I	BW 434
Secretary I	BW 439
Secretary I	BW 329
Private Secretary I	BW 379
Private Secretary II	BW 325
Personnel Assistant	BW 330
Personnel Clerk I	BW 463
Sr. Clerk-Stenographer	CN 123
Secty. to Chairman of City Council	CN 109
Secretary I	CN 108
Secretary I	CN 110
Secretary I	CN 113
Secretary II	CD 301
Clerk-Typist	CS 333
Clerk-Typist	CS 351
Sr. Clerk-Typist	CS 365
Clerk-Stenographer	CS 362
Private Secty.-Reporter	CS 313
Personnel Assistant	CS 337
Personnel Clerk I	CS 308
Personnel Clerk I	CS 310
Personnel Clerk I	CS 311
Personnel Clerk I	CS 314

	<u>Position Number</u>
Personnel Clerk I	CS 320
Personnel Clerk I	CS 321
Personnel Clerk I	CS 322
Personnel Clerk I	CS 334
Personnel Clerk I	CS 361
Personnel Clerk I	CS 335
Personnel Clerk I	CS 338
Personnel Clerk I	CS 342
Personnel Clerk I	CS 343
Personnel Clerk I	CS 344
Personnel Clerk I	CS 345
Personnel Clerk I	CS 347
Personnel Clerk I	CS 349
Personnel Clerk II	CS 305
Personnel Clerk II	CS 306
Personnel Clerk II	CS 307
Personnel Clerk II	CS 316
Personnel Clerk II	CS 319
Personnel Clerk II	CS 327
Personnel Clerk II	CS 331
Public Service Careers Project	
Secretary	(Betsy Lum)
Secretary II	CK 112
Secretary II	CK 138
Secretary II	CK 151
Secretary II	CK 179
Private Secretary II	CK 102
Personnel Clerk I	CK 113
Private Secretary II	CC 112
Secretary I	CC 313
Secretary I	DF 119
Secretary I	DF 137
Secretary I	DF 269
Secretary I	DF 270
Secretary I	DF 314
Secretary I	DF 351
Private Secretary I	DF 154
Private Secretary II	DF 333
Private Secretary I	FC 310
Private Secretary II	FC 302
Personnel Clerk II	FC 313
Private Secretary II	HD 316
Secretary I	RA 306
Private Secretary II	RA 301
Secretary I	IS 106
Asst. Clerk-Stenographer	MR 128
Asst. Clerk-Stenographer	MR 307
Clerk-Stenographer	MR 129
Clerk-Stenographer	MR 131
Clerk-Stenographer	MR 301
Clerk-Stenographer	MR 375
Clerk-Stenographer	MR 500

	<u>Position Number</u>
Secretary I	MR 306
Secretary I	MR 323
Private Secretary II	MR 305
Private Secretary to Mayor	MR 300
Clerk-Typist	MB 344
Clerk-Typist	MB 372
Asst. Clerk-Stenographer	MB 317
Sr. Clerk-Stenographer	MB 319
Secretary II	MB 315
Statistics Clerk II	MB 313
Secretary I	MC 140
Secretary II	MI 302
Sr. Clerk-Stenographer	MD 132
Sr. Clerk-Stenographer	MD 331
Pvt. Secty. to Managing Director	MD 303
Secretary I	ME 103
Pvt. Secretary II	ME 102
Secretary I	PR 351
Private Secretary II	PR 306
Sr. Clerk-Typist	PR 260
Personnel Clerk II	PR 720
Secretary I	CP 341
Secretary I	CP 361
Private Secretary I	CP 326
Private Secretary II	CP 323
Personnel Clerk I	CP 360
Sr. Clerk-Stenogrpher	PC 560
Secretary-Reporter	PC 300
Secretary I	PC 307
Secretary I	PC 362
Secretary I	PC 532
Secretary I	PC 554
Secretary I	PC 197
Secretary I	PC 555
Secretary I	PC 645
Private Secretary I	PC 608
Private Secretary II	PC 306
Personnel Clerk I	PC 180
Personnel Clerk I	PC 324
Personnel Clerk I	PC 356
Personnel Clerk II	PC 302
Private Secretary I	PP 127
Private Secretary II	PP 128
Private Secretary I	WC 102
Private Secretary II	WC 301
Personnel Assistant	WC 304
Personnel Clerk I	WC 348
Secretary I	WE 949

	<u>Position Number</u>
Secretary I	WL 333
Secretary I	WR 315
Secretary I	WS 301
Pvt. Secty. to Bandmaster	HB 300
Secretary I	TR 315
Private Secretary I	TR 231
Private Secretary II	TR 102
Personnel Clerk I	TR 121
Private Secretary II	UR 302
Personnel Clerk I	MH 239
Personnel Clerk I	MH 180
Personnel Clerk I	MH 115
Personnel Clerk I	MH 116
Personnel Clerk I	MH 200
Tape Librarian	MH 119
Computer Operator	MH 120
Computer Operator	MH 121
Personnel Assistant	MC 174
Secretary I	PR 326

and all supervisory, professional and scientific employees, part-time employees working less than 20 hours per week, temporary employees of 3 months duration or less, and all other employees.

COUNTY OF HAWAII

Clerk-Steno	P - 2502
Sen. Clerk-Steno	P - 2370
Legal Steno	P - 2556
Legal Steno	P - 60
Sen. Legal Steno	P - 61
Secretary-Reporter	P - 2113
Secretary	P - 1943
Secretary	P - 78
Secretary	P - 1945
Private Secretary	P - 1747
Private Secretary	P - 2469
Private Secretary	P - 266
Private Secretary	P - 1882
Secretary to Chief of Police	P - 1776
Secretary-Administrative Asst.	P - 876
Secretary to Council Comm.	P - 2445
Personnel Clerk	P - 52
Personnel Clerk	P - 4
Dept. Personnel Clerk	P - 267
Personnel Assistant	P - 338
C. S. Secretary - Trans. Asst.	P - 51

and all supervisory, professional and scientific employees, part-time employees working less than 20 hours per week, temporary employees of 3 months duration or less, and all other employees.

COUNTY OF MAUI

	Position Number
Molokai District Clerk	P-PW-276
Clerk-Typist II	P-OM-7
Clerk-Steno I	P-OM-10
Clerk-Steno II	P-CC-3
Personnel Clerk	P-DPS-5
Law Steno	P-ATT-4
Police Service Technician	P-PD-10
Personnel Assistant I	P-PD-173
Law Steno	P-ATT-2
Law Steno	P-ATT-3
Law Office Manager	P-ATT-1
Secretary-Reporter	P-OM-4
Private Secretary	P-DF-3
Private Secretary	P-PR-45
Private Secretary	P-PW-2
Private Secretary	P-PC-2
Private Secretary	P-LC-2
Private Secretary to Police Chief	P-PD-137
Secretary to Council Comm.	P-CC-2
Private Secretary to Mayor	P-OM-3
Secretary-Administrative Asst.	P-WW-10
Personnel Assistant II	P-PW-69
Certifications & Transactions Clerk	P-DPS-4
Executive Secretary to Director of Personnel Service and Civil Service Comm.	P-DPS-3

and all supervisory, professional and scientific employees, part-time employees working less than 20 hours per week, temporary employees of 3 months duration or less, and all other employees.

In addition to the above delineated exclusions it is agreed that all positions existing or to be established, temporary or otherwise, in the Department of Personnel Services shall be excluded during the period of the contract.

COUNTY OF KAUAI

Law Office Manager	P - 50
Civil Service Secretary	P - 2102
Planning Comm. Secretary	P - 2003
Legal Secretary I	P - 51
Clerk-Reporter	P - 2204

	Position Number
Private Secretary	P - 801
Private Secretary	P - 2301
Private Secretary	P - 2601
Personnel Assistant	P - 800
Legal Secretary II	
Private Secretary, Finance	
Private Secretary, Police	

and all supervisory, professional and scientific employees, part-time employees working less than 20 hours per week, temporary employees of 3 months duration or less, and all other employees.

In addition to the above delineated exclusions it is agreed that all positions existing or to be established, temporary or otherwise, in the Department of Personnel Services shall be excluded during the period of the contract.

Further, IT IS ORDERED that the above-named public employers shall bargain collectively with the Hawaii Government Employees' Association, Local 152 (AFSCME/AFL-CIO) and enter into a written agreement with such employee organization with respect to wages, hours, and other terms and conditions of employment which are subject to negotiations under the Act.

HAWAII PUBLIC EMPLOYMENT RELATIONS BOARD

By *Mack H. Hamada*
Mack H. Hamada, Chairman

Carl J. Guntert, Board Member

John E. Milligan
John E. Milligan, Board Member

Dated: April 3, 1972

Honolulu, Hawaii

DISSENTING OPINION


I dissent from the determination of my two colleagues, whereby they deny some 450 to 500 more or less, non-supervisory white collar employees (clerks, typists, stenographers and secretaries) their right to be represented. By excluding them from the non-supervisory white collar bargaining unit, on the allegation that they are concerned with confidential employee-employer relation matters. These exclusions are made with no evidence in the record to justify their exclusions. I cannot accept the employer-union stipulation that this great number of excluded non-supervisory employees are individuals concerned with confidential matters affecting employee-employer relations and should be excluded. I cannot believe that the Legislature intended to deny great numbers of non-supervisory white collar employees their legal right to be represented by a union (employee organization) of their choice, or their right to participate in its selection. If the Legislature had so intended it would have said so. It did not say so. It said the opposite.

When the Legislature used the language: "No...individual concerned with confidential matters affecting employee-employer relations... shall be included in any appropriate bargaining unit or entitled to coverage under this Chapter." In my judgment, the Legislature did not intend that non-supervisory employees who might have some, at most casual involvement and/or contact with employee-employer relations would be excluded from their appropriate bargaining unit.

According to Webster's Collegiate Dictionary, the word "concerned" implies the bearing or influence, having affect, the direct operation or action, of one thing on another, that which relates or belongs to one.

The occasional typing of a supervisor's reprimand and filing it in the employee's folder, time and attendance record keeping, etc., is no more than casual contact with and cannot be construed as being concerned enough with employee-employer relations to deny the typist or secretary her right to be represented and to have the protection and services of her union.

Based on the foregoing, I cannot agree with my colleagues' decision excluding great numbers of non-supervisory white collar employees. In my judgment there is little if any justification for their exclusion.

By 
Carl J. Guntert, Board Member

Dated: March 16, 1972

Honolulu, Hawaii