

STATE OF HAWAII

HAWAII PUBLIC EMPLOYMENT RELATIONS BOARD

In the Matter of)	CASE NOS.: RA-13-63
)	RA-08-63
BOARD OF REGENTS, University)	
of Hawaii,)	DECISION NO. 179
)	
Petitioner.)	
_____)	

FINDINGS OF FACT, CONCLUSIONS
OF LAW AND ORDER

On September 15, 1983, the BOARD OF REGENTS of the University of Hawaii [hereinafter referred to as BOR] filed a Petition for Clarification or Amendment of Appropriate Bargaining Unit with the Hawaii Public Employment Relations Board [hereinafter referred to as Board]. In its petition, the BOR requested the transfer of Position No. 480, presently an Accountant V and included in Unit 13 (Professional and scientific employees, other than registered professional nurses) to Unit 8 (Personnel of the University of Hawaii and community college system, other than faculty). The transfer is premised upon the reclassification of the position to UH Fiscal Accounting Specialist IV and the similarity of the duties and responsibilities of the position to those of various existing positions within the Administrative, Professional and Technical Personnel [hereinafter referred to as APT] classification plan.

The BOR submitted along with the petition the following documents:

1. Affidavit of Harold S. Masumoto regarding Position No. 480, dated September 13, 1983;
2. APT Position Description for the Accountant V position (Exhibit A);

3. Class Specifications for the UH Fiscal Accounting Specialist IV (Exhibit B); and

4. Letter, dated August 3, 1983, from Harold S. Masumoto to Russell Okata, Hawaii Government Employees' Association [hereinafter referred to as HGEA], requesting the HGEA's concurrence with the proposed bargaining unit transfer (Exhibit C).

Based on the affidavit of Harold S. Masumoto, Vice President for Administration, University of Hawaii [hereinafter referred to as UH], and all documents in support of the petition, the Board makes the following findings of fact, conclusions of law and order.

FINDINGS OF FACT

The BOR is the public employer, as defined in Subsection 89-2(9), Hawaii Revised Statutes [hereinafter referred to as HRS], of employees of the UH, which includes employees in Unit 8.

Governor George R. Ariyoshi is the public employer, as defined in Subsection 89-2(9), HRS, of employees of the State, which includes employees in Unit 13.

The HGEA is the certified exclusive representative of employees in Units 8 and 13.

The HGEA concurs with the BOR's proposed transfer of the subject position from Unit 13 to Unit 8 and is deemed to have waived the right to a hearing thereon. Petitioner's Exhibit C.

Position No. 480 is currently classified as an Accountant V within the civil service system and is located in the Central Accounting Office, Fiscal Services, under the Director of Finance.

The duties and responsibilities of the Accountant V include:

1. Maintaining central accounting records for state funds and supervising the preparation of bank reconciliations;
2. Advising systemwide personnel on vouchers and other accounting matters;
3. Participating in formulation of accounting policies and procedures;
4. Overseeing the processing of general vouchers;
5. Reviewing and analyzing accounting functions;
6. Preparing fiscal reports to federal and state agencies and UH annual financial reports; and
7. Maintaining the fiscal system and distributing fiscal reports to University fiscal officers. Petitioner's Exhibit A.

The BOR has proposed the transfer of the Accountant V position from a class within the civil service system to a class within the APT system. The duties and responsibilities of the UH Fiscal Accounting Specialist IV, include:

1. Analyzing systemwide financial and accounting operations, and investment management;
2. Working with systemwide accounting, financial, and management officials; and
3. Supervising professional and account-clerical subordinates. Petitioner's Exhibit B.

CONCLUSIONS OF LAW

The BOR has requested the transfer of the Accountant V position from inclusion in Unit 13 to Unit 8, as the

position's duties and responsibilities are more appropriately encompassed in the APT classification plan.

Subsection 89-6(a), HRS, establishes the 13 public employee bargaining units and provides, in part:

(a) All employees throughout the State within any of the following categories shall constitute an appropriate bargaining unit:

* * *

(8) Personnel of the University of Hawaii and the community college system, other than faculty;

* * *

(13) Professional and scientific employees, other than registered professional nurses; . . .

In its attempt to more specifically determine the composition of Unit 8, the Board noted in Decision 25, Hawaii Federation of College Teachers, 1 HPERB 289 (1973):

The personnel employed by the University range over a broad spectrum of occupational groupings and includes some hybrids. There are a number of personnel in the University System who do not appropriately fall within the faculty or civil service groupings. Some of the personnel who are not within the faculty or civil service systems are classified as Administrative, Professional and Technical Personnel (hereinafter APT).

APT's generally perform professional level duties which may be unique to the University environment . . .

Id. at 298.

The Board thereafter determined that the following employees are to be included in Unit 8:

All administrative, technical and professional employees who are employed half time or more, except those determined to be excluded.

Id. at 290.

After carefully reviewing the evidence submitted by the BOR, the Board concludes that the duties and responsibilities of the Accountant V position as reclassified to UH Fiscal Accounting Specialist IV reflect administrative, professional and technical responsibilities within the UH system. Thus, as the BOR has proposed the transfer of the subject position to a class within the APT system, the position would appropriately be placed in Unit 8.


ORDER

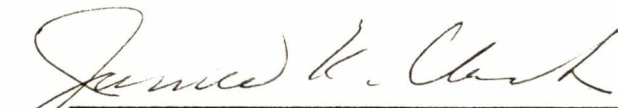
The Accountant V position is transferred from inclusion in Unit 13 to Unit 8.

The effective date of the transfer shall not be earlier than the date of this decision.

DATED: Honolulu, Hawaii, November 16, 1983.

HAWAII PUBLIC EMPLOYMENT RELATIONS BOARD


MACK H. HAMADA, Chairperson


JAMES K. CLARK, Board Member


JAMES R. CARRAS, Board Member

Copies sent to:

Harold S. Masumoto, UH
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