

STATE OF HAWAII

HAWAII LABOR RELATIONS BOARD

In the Matter of)	CASE NOS.:	RA-03-101a
)		RA-08-101b
BOARD OF REGENTS, University)		
of Hawaii,)		
)		
Petitioner.)		
)		
In the Matter of)	CASE NOS.:	RA-03-102a
)		RA-08-102b
BOARD OF REGENTS, University)		
of Hawaii,)	DECISION NO.	217
)		
Petitioner.)	FINDINGS OF FACT, CONCLU-	
)	SIONS OF LAW AND ORDER	

FINDINGS OF FACT, CONCLUSIONS
OF LAW AND ORDER

On May 2, 1986, the BOARD OF REGENTS of the University of Hawaii [hereinafter referred to as BOR] filed two Petitions for Clarification or Amendment of Appropriate Bargaining Unit with the Hawaii Labor Relations Board [hereinafter referred to as Board].

In its first petition, Case Nos. RA-03-101a and RA-08-101b, the BOR requested the amendment of the bargaining unit designation of Position No. 485, Account Clerk IV, from inclusion in bargaining unit 3 (Nonsupervisory employees in white collar positions) to bargaining unit 8 (Personnel of the University of Hawaii and the community college system, other than faculty). The transfer is premised upon a review of the position's duties and responsibilities, and the proposed reclassification of the position to University of Hawaii [hereinafter

referred to as UH] Fiscal Accounting Specialist II, a class within the Administrative, Professional and Technical [hereinafter referred to as APT] Classification and Compensation Plan.

Petitioner submitted the following documents with the petition:

1. Affidavit of Harold S. Masumoto, Vice President for Administration, UH, regarding Position No. 485, dated May 2, 1986;

2. APT Position Description for the UH Fiscal Accounting Specialist series (Exhibit A); and

3. Letter, dated April 15, 1986, from Harold S. Masumoto to Russell Okata, Executive Director, Hawaii Government Employees Association [hereinafter referred to as HGEA], requesting the HGEA's concurrence with the proposed bargaining unit designation amendment (Exhibit B).

In its second petition, Case Nos. RA-03-102a and RA-08-102b, the BOR requested the amendment of the bargaining unit designation of Position No. 11951, Account Clerk IV, from inclusion in bargaining unit 3 to bargaining unit 8. The amendment is premised upon a review of the position's duties and responsibilities, and the proposed reclassification of the position to UH Fiscal Accounting Specialist II, a class within the APT Classification and Compensation Plan.

The BOR submitted the following documents with the petition:

1. Affidavit of Harold S. Masumoto, Vice President for Administration, UH, regarding Position No. 11951, dated May 2, 1986;

2. APT Position Description for the UH Fiscal Accounting Specialist series (Exhibit A); and

3. Letter, dated April 15, 1986, from Harold S. Masumoto to Russell Okata, Executive Director, HGEA, requesting the HGEA's concurrence with the proposed bargaining unit designation amendment (Exhibit B).

As the petitions involve two positions with identical duties and responsibilities, and consolidation of the petitions is conducive to their disposition, the Board hereby consolidates the subject petitions pursuant to Administrative Rules Subsection 12-42-8(g) (13). Based on the affidavits of Harold S. Masumoto and all documents submitted in support of the petitions, 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 the employees of the UH, which includes employees in bargaining units 3 and 8.

The HGEA is the certified exclusive representative, as defined in Subsection 89-2(12), HRS, of employees in bargaining units 3 and 8.

The HGEA concurs with the BOR's proposed bargaining unit designation amendment of the subject positions from inclusion in bargaining unit 3 to bargaining unit 8, and is deemed to have waived the right to a hearing thereon. Petitioner's Exhibits B.

Position Nos. 485 and 11951 are each classified as an Account Clerk IV and located in the Central Accounting Office, UH. Each position is involved in professional and technical accounting activities such as audits, analysis, and interpretation of accounting practices and procedures. More specifically, each position performs the following duties and responsibilities in the approximate percentages of work time:

1. Assists in the development and maintenance of accounting systems for the current unrestricted, current restricted, plant and agency fund groups to insure classification integrity, completeness and accuracy of capturing accounting data; and performs reconciliation of subsidiary to general ledgers (30 percent);

2. Coordinates system-wide procedures which insures the accuracy of balances of general ledger accounts for inventory, accounts receivable, accounts payable, and other asset and liability accounts for accounting controls and financial reporting; recommends procedures and develops computer applications for the effective communication of accounting data with the necessary internal offices and external agencies; and uses independent judgment in advising users on the handling and processing of transaction data (30 percent);

3. Prepares the necessary reports for analysis of data in the budget execution phase of fund accounting including the allocation, allotment and cash authorization in light of State laws and University policies; and performs bank, University and Department of Accounting and General Services reconciliations (25 percent);

4. Analyzes problems and performs special research, consolidation and evaluation of data requested by supervisor (10 percent); and

5. Assists in the documentation of procedures and training of users, subordinates and peers to promote and encourage adherence to system-wide policies and procedures (5 percent).
Petitioner's two Exhibit A.

Based on these duties and responsibilities, the subject positions have been proposed for reclassification within the APT Classification and Compensation Plan.

CONCLUSIONS OF LAW

The BOR has requested the amendment of the bargaining unit designation of Position Nos. 485 and 11951 from inclusion in bargaining unit 3 to bargaining unit 8, as each position's duties and responsibilities are consistent with the UH Fiscal Accounting Specialist series, a class within the APT Classification and Compensation Plan.

Subsection 89-6(a), HRS, establishes 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:

* * *

(3) Nonsupervisory employees in white collar positions;

* * *

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

In its attempt to more specifically determine the composition of bargaining unit 8, the Board noted in Decision No. 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 (hereafter 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 bargaining 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 a complete review of the duties and responsibilities to be performed by Position Nos. 485 and 11951, the Board concludes that each position performs audits, analysis and

interpretation of accounting practices and procedures in the Central Accounting Office. Accordingly, the Board concludes that the duties and responsibilities of Position Nos. 485 and 11951 reflect professional and technical duties within the UH system. Thus, as the BOR has proposed the reclassification of the subject positions to a class within the APT system, the positions would appropriately be placed in bargaining unit 8.


ORDER

The bargaining unit designation of Position Nos. 485 and 11951 is amended from inclusion in bargaining unit 3 to inclusion in bargaining unit 8.

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

DATED: Honolulu, Hawaii, June 4, 1986.

HAWAII LABOR RELATIONS BOARD


MACK H. HAMADA, Chairperson


JAMES K. CLARK, Board Member


JAMES R. CARRAS, Board Member

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