

STATE OF HAWAII  
HAWAII LABOR RELATIONS BOARD

In the Matter of	)	CASE NO. RA-02-148
	)	
HANNIBAL TAVARES, Mayor of the	)	DECISION NO. 263
County of Maui,	)	
	)	FINDINGS OF FACT, CONCLU-
Petitioner.	)	SIONS OF LAW AND ORDER
_____	)	

FINDINGS OF FACT, CONCLUSIONS  
OF LAW AND ORDER

On February 4, 1988, HANNIBAL TAVARES, Mayor of the County of Maui [hereinafter referred to as Petitioner or Employer], filed a Petition for Clarification or Amendment of Appropriate Bargaining Unit with the Hawaii Labor Relations Board [hereinafter referred to as Board]. In its petition, Employer requested the inclusion of Position No. PW-0073, reclassified to a new class entitled County Building and Grounds Maintenance Supervisor, in bargaining unit 2 (Supervisory employees in blue collar positions).

Petitioner submitted the following documents with the petition:

1. Affidavit of Manabu Kimura, Director of Personnel Services, County of Maui [hereinafter referred to as Kimura], regarding Position No. PW-0073, dated October 19, 1987;

2. Position description for the Custodial Services Supervisor (Exhibit A);

3. Class specifications for the County Buildings and Grounds Maintenance Supervisor (Exhibit B);

4. Organization chart for the Custodial Maintenance Section, Department of Public Works, County of Maui (Exhibit C); and

5. Letter from Kimura to Gary Rodrigues, State Director, United Public Workers [hereinafter referred to as UPW], dated October 9, 1987, informing union of reclassification of PW-0073 (Exhibit D).

Based on the affidavit of Manabu Kimura and all documents submitted in support of the petition, the Board makes the following findings of fact, conclusions of law and order.

#### FINDINGS OF FACT

Petitioner is the public employer, as defined in Section 89-2, Hawaii Revised Statutes [hereinafter referred to as HRS], of employees of the County of Maui, which includes employees in bargaining unit 2.

The UPW is the certified exclusive representative, as defined in Section 89-2, HRS, of employees in bargaining unit 1.

Position No. PW-0073 has been reclassified to a new class entitled County Building and Grounds Maintenance Supervisor, and is located in the Custodial Maintenance Section, Department of Public Works, County of Maui. Position No. PW-0073 is required to supervise a variety of manual tasks involved in the maintenance of the county buildings and the general care of the surrounding grounds. More specifically, the position performs the following duties:

Supervises the work of semi-skilled and unskilled workers in the maintenance of the County Buildings and the general care of the surrounding grounds; reviews priorities and schedules maintenance and groundskeeping projects with superiors to determine work schedules, labor, material, and equipment needs; schedules, assigns, inspects and coordinates the work of employees engaged in a variety of building maintenance and groundskeeping activities; makes periodic inspections of buildings and grounds to locate conditions indicating the need for repair and maintenance work; prepares and submits records and reports such as time records, progress reports, and accident reports; and performs other related duties as required.

Based on these duties and responsibilities, Position No. PW-0073 has been reclassified to a new class entitled County Building and Grounds Maintenance Supervisor, and is proposed for inclusion in bargaining unit 2.

#### CONCLUSIONS OF LAW

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:

\* \* \*

- (2) Supervisory employees in blue collar positions; . . .



After a complete review of the duties and responsibilities of Position No. PW-0073, the Board concludes that the position is responsible for supervising a variety of manual tasks concerning building and grounds maintenance. Further, the position's duties and responsibilities are supervisory blue collar in nature. As such, Employer's proposed inclusion of Position No. PW-0073 in bargaining unit 2 is consistent with Subsection 89-6(a), HRS.

ORDER

Position No. PW-0073, entitled County Building and Grounds Maintenance Supervisor is included in bargaining unit 2.

DATED: Honolulu, Hawaii, April 22, 1988.

HAWAII LABOR RELATIONS BOARD

  
MACK H. HAMADA, Chairperson

  
JAMES R. CARRAS, Board Member

  
GERALD K. MACHIDA, Board Member

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