

See.

STATE OF HAWAII  
HAWAII LABOR RELATIONS BOARD

In the Matter of	)	CASE NO. RA-01-149
	)	
HANNIBAL M. TAVARES, Mayor of	)	DECISION NO. 264
the 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 M. 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. PR-0115, classified to a new class entitled County Building and Grounds Utility Worker, in bargaining unit 1 (Nonsupervisory 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, regarding Position No. PR-0115, dated October 19, 1987;
2. Position description for the Park Caretaker (Exhibit A);
3. Class specifications for the County Building and Grounds Utility Worker (Exhibit B);

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

5. Letter, dated October 9, 1987, from Manabu Kimura to Gary Rodrigues, State Director, United Public Workers [hereinafter referred to as UPW], regarding Position No. PR-0115 (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 the employees of the County of Maui, which includes employees in bargaining unit 1.

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

Position No. PR-0115 has been reclassified to a new class entitled County Building and Grounds Utility Worker and is located in the Custodial Maintenance Section, Department of Public Works, County of Maui. Position No. PR-0115 is required to perform minor building maintenance repairs and groundskeeping work in and around County buildings. More specifically, the position performs the following duties:

Performs a variety of manual tasks in the maintenance of County buildings and the general care of the surrounding grounds; checks buildings and grounds to locate conditions indicating the need for repair and maintenance work; repairs and paints walls and ceilings; repairs windows, doors, and other articles; replaces fuses and bulbs; cleans clogged drains; repairs leaky faucets and other plumbing fittings; paints and cleans outside and inside walls; cleans gutters; collects and hauls rubbish; plants new lawns, and grades the ground as necessary; plants, trims and fertilizes flowers and plants; uses a variety of hand tools, and some power equipment in the performance of work; and performs other related duties as required.

Based on these duties and responsibilities, Position No. PR-0115 has been reclassified to a new class entitled County Building and Grounds Utility Worker, and is proposed for inclusion in bargaining unit 1.

#### 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:
  - (1) Nonsupervisory employees in blue collar positions; . . .


After a complete review of the duties and responsibilities of Position No. PR-0115, the Board concludes that the position is responsible for executing general repair and maintenance work in the county buildings as well as upkeeping the adjacent grounds. Further, the position performs duties which are generally rudimentary and nonsupervisory blue collar in nature. As such, Employer's proposed inclusion of Position No. PR-0115 in bargaining unit 1 is consistent with Subsection 89-6(a), HRS.

ORDER

Position No. PR-0115, entitled County Building and Grounds Utility Worker, is included in bargaining unit 1.

DATED: Honolulu, Hawaii, April 22, 1988.

HAWAII LABOR RELATIONS BOARD

  
MACK H. HAMADA, Chairperson

  
JAMES R. CARRAS, Board Member

  
GERALD K. MACHIDA, Board Member

Copies sent to:

Manabu Kimura  
Robert Hasegawa, CLEAR  
Publications Distribution Center  
State Archives  
University of Hawaii Library  
Richardson School of Law  
Library of Congress  
Joyce Najita, IRC