

STATE OF HAWAII  
HAWAII LABOR RELATIONS BOARD

In the Matter of	)	CASE NO. RA-03-105
	)	
HANNIBAL TAVARES, Mayor of the	)	DECISION NO. 293
County of Maui,	)	
	)	FINDINGS OF FACT, CONCLU-
Petitioner.	)	SIONS OF LAW AND ORDER
_____	)	

FINDINGS OF FACT,  
CONCLUSIONS OF LAW AND ORDER

On June 10, 1986, 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 [referred to as Board]. In its petition, the Employer requested the inclusion of Position No. PW-0276, which was being classified in the new Treasury Clerk II class, in bargaining unit 3 (Nonsupervisory employees in white 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. PW-0276, dated June 6, 1986;
2. Position description for the Administrative Services Assistant I (Exhibit A); and
3. Class specifications for the Treasury Clerk II (Exhibit B).

Subsequently on April 28, 1989, the Board received an updated Position Description for Position No. PW-0276 which the Board has identified as Exhibit C and, also, class specifications for the Treasury Clerk II, which the Board has identified as 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 3.

Position No. PW-0276 has been reclassified from an Administrative Services Assistant I to a new class entitled Treasury Clerk II. The position is required to supervise and participate in the performance of clerical tasks for all County departments and agencies servicing the island of Molokai and serves as secretary to the County Services Administrator performing the following duties:

1. Reviews, corrects and prepares reports and maintains personnel records, including reviewing and completing time sheets, leave applications, industrial injury reports and other related matters;

2. Types letters, memos and reports and receives and completes, as necessary, applications for various permits, services and licenses;

3. Provides the public with information regarding property tax assessment, appraisals and other real property information, motor vehicle registration, business licenses, refuse collection, water services, park permits and usage, etc.; and

4. Receives, records and deposits payments for various taxes, licenses, fees, deposits and other charges.

According to the class specifications, the position supervises and participates in the receiving and processing of applications and payments for licenses, permits, taxes and other charges; reviews and examines various supporting documents in connection therewith; prepares bills, collects fees and issues receipts for services rendered; maintains appropriate records; and performs other related duties as required.

Based on these duties and responsibilities, Position No. PW-0276 has been reclassified to a new class entitled Treasury Clerk II and is proposed for inclusion in bargaining unit 3.

#### 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:

\* \* \*

(3) Nonsupervisory employees in white collar positions;. . .

After a complete review of the duties and responsibilities of Position No. PW-0276, the Board concludes that the position is responsible for supervising and participating in the receiving and processing of applications and payments for various taxes, licenses, fees, deposits and other charges. In this context, the position reviews and examines various supporting documents received in connection therewith and prepares bills, collects fees and issues receipts for services rendered. In addition, the position performs clerical tasks for County agencies servicing the island of Molokai and also, serves as secretary to the County Services Administrator. As such, the position performs duties which are generally white collar in nature and are not purely supervisory. As such, the Employer's proposed inclusion of Position No. PW-0276 in bargaining unit 3 is consistent with Subsection 89-6(a), HRS.

ORDER


Position No. PW-0276, entitled Treasury Clerk II, is included in bargaining unit 3.

HANNIBAL TAVARES, Mayor of the County of Maui, Petitioner; CASE  
NO. RA-03-105  
DECISION NO. 293  
FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

DATED: Honolulu, Hawaii, May 19, 1989.

HAWAII LABOR RELATIONS BOARD

  
JAMES R. CARRAS, Board Member

  
GERALD K. MACHIDA, Board Member

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