

STATE OF HAWAII
HAWAII LABOR RELATIONS BOARD

In the Matter of)	CASE NOS.: RA-04-165a
)	RA-08-165b
BOARD OF REGENTS, University)	
of Hawaii,)	DECISION NO. 294
)	
Petitioner.)	FINDINGS OF FACT, CONCLU-
<hr/>)	SIONS OF LAW AND ORDER

FINDINGS OF FACT,
CONCLUSIONS OF LAW AND ORDER

On April 11, 1989, 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 Labor Relations Board [hereinafter referred to as Board]. In its petition, the BOR requested the transfer of Position No. 19654, Clerical Supervisor II, from inclusion in bargaining unit 4 (Supervisory employees in white collar positions) to bargaining unit 8 (Personnel of the University of Hawaii [hereinafter referred to as UH] and community college system, other than faculty). The amendment is premised upon a review of the position's duties and responsibilities, and the proposed reclassification of the position to UH Administrative and Fiscal Support Specialist I, a class within the Administrative, Professional and Technical [hereinafter referred to as APT] Classification and Compensation Plan.

The BOR submitted the following documents with the petition:

1. Affidavit of James H. Takushi, Director of Personnel, University of Hawaii, regarding Position No. 19654, dated April 11, 1989;

2. Position description for the UH Administrative and Fiscal Support Specialist (Exhibit A);

3. Class Specifications for the UH Administrative and Fiscal Support Specialist class (Exhibit B); and

4. Letter, dated March 29, 1989, from James H. Takushi to Russell Okata, Executive Director, Hawaii Government Employees Association [hereinafter referred to as HGEA], requesting concurrence with the proposed bargaining unit amendment (Exhibit C).

Based on the affidavit of James H. Takushi and all documents submitted in support of the petition, the Board makes the following finding of fact, conclusions of law and order.

FINDINGS OF FACT

The BOR is the public employer, as defined in Section 89-2, Hawaii Revised Statutes [hereinafter referred to as HRS], of the employees of the University of Hawaii which includes employees in bargaining units 4 and 8.

The HGEA is the certified exclusive representative, as defined in Section 89-2, HRS, of employees in bargaining units 4 and 8.

The HGEA concurs with the BOR's proposed bargaining unit amendment of the subject position from inclusion in

bargaining unit 4 to bargaining unit 8, and is deemed to have waived the right to a hearing thereon. Petitioner's Exhibit C.

Position No. 19654 is presently classified as Clerical Supervisor II, and located in the Cashier's Office, under the Vice President of Finance and Operations. The position is responsible for directing fiscal support activities for all revenue collection and deposit. Additionally, this position is responsible for overseeing the refunding of tuition, and the billing of scholarship agencies for tuition and fees for the Manoa campus. Accordingly, the position is involved in highly technical and administrative work, which is reflective of the class entitled UH Administrative and Fiscal Support Specialist I, a class within the APT Classification and Compensation Plan. Hence, the position is proposed for reclassification.

The position performs the following duties and responsibilities in the approximate percentages of work time:

1. Assists in supervising all daily registration related activities which includes the following:
 - Conducts training sessions for staff, temporary cashiers and student assistants on current procedures and practices relating to the registration process;
 - Extracts, summarizes, and disseminates current information on registration;
 - Updates tuition and fees schedules prior to the start of the academic year;

- Verifies for accuracy, collections and refunds prepared by clerical staff;
- Authorizes refund payments to students and ensures safekeeping of the signature plate for the check signing machine;
- Oversees the tuition refunds to students and billing of scholarship agencies to ensure timely processing;
- Maintains the lockbox/credit card settlement account and reconciles on a monthly basis;
- Assigns lockbox receipts to cashiers for entry into the Integrated Student Information System (Computerized Student Registration System);
- Assists in enforcing all University fiscal policies and procedures relating to registration, deferring to the Director only when exceptions or unusual problems occur (60%).

2. Coordinates office operations involving supervision of subordinate clerical personnel to meet established registration, quarterly and fiscal year closing deadlines (20%).

3. Assists students with problems on registration with reference to fiscal matters, and directs students to proper authority on academic matters (10%).

4. Periodically checks registration forms and office supply inventories and takes appropriate action as necessary (5%).
5. Performs other duties as required (5%).

Petitioner's Exhibit A.

Based on these duties and responsibilities, the position has 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 No. 19654 from inclusion in bargaining unit 4, to bargaining unit 8, as the position's duties and responsibilities are consistent with the UH Administrative and Fiscal Support 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:

* * *

(4) Supervisory 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 define 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 (hereinafter referred to as 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 No. 19654, the Board concludes that the position serves as an assistant to the fiscal officer which provides a wide range of administrative and fiscal support duties. Performance of these duties require a high level of understanding of accounting transactions as well as university policies regarding the collection, receiving, refunding, and depositing of all tuition and fees. Accordingly, the Board concludes that the duties and responsibilities of

Position No. 19654 reflect administrative, professional, and technical duties which are unique to the UH system. Thus, as the BOR has proposed the reclassification of the subject position to a class within the APT system, the position would be appropriately placed in bargaining unit 8.

ORDER

Position No. 19654, UH Administrative and Fiscal Support Specialist I, is included in bargaining unit 8.

DATED: Honolulu, Hawaii, May 19, 1989

HAWAII LABOR RELATIONS BOARD


JAMES R. CARRAS, Board Member


GERALD K. MACHIDA, Board Member

Copies sent to:

James H. Takushi
Joyce Najita, IRC
Robert Hasesgawa, CLEAR
University of Hawaii Library
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