

STATE OF HAWAII
HAWAII LABOR RELATIONS BOARD

In the Matter of)	CASE NOS.: RA-03-180a
)	RA-08-180b
BOARD OF REGENTS, University)	
of Hawaii,)	DECISION NO. 313
)	
Petitioner.)	FINDINGS OF FACT, CONCLU-
)	SIONS OF LAW AND ORDER

FINDINGS OF FACT,
CONCLUSIONS OF LAW AND ORDER

On November 16, 1990, the BOARD OF REGENTS of the University of Hawaii (BOR or Employer) filed a Petition for Clarification or Amendment of Appropriate Bargaining Unit with the Hawaii Labor Relations Board (Board). In its petition, the BOR requested the transfer of Position No. 13609, 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 petition is premised upon a review of the position's duties and responsibilities and the proposed reclassification of the position to University of Hawaii (UH) Procurement and Property Management Specialist II, a class within the Administrative, Professional, and Technical (APT) Classification and Compensation Plan.

The BOR submitted the following documents with the petition:

1. Affidavit of James H. Takushi, Director of Personnel, UH, regarding Position No. 13609, dated November 15, 1990;

2. Position Description for UH Procurement and Property Management Specialist II (Exhibit A);

3. Class Specifications for UH Procurement and Property Management Specialist II (Exhibit B);

4. Letter, dated October 18, 1990, from James H. Takushi to Russell Okata, Executive Director, Hawaii Government Employees Association (HGEA), requesting concurrence with the proposed transfer of the subject position to bargaining unit 8 (Exhibit C).

Based on the affidavit of James H. Takushi 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

The BOR is the public employer, as defined in Section 89-2, Hawaii Revised Statutes (HRS), of the employees of the UH, which include employees in bargaining units 3 and 8.

The HGEA is the certified exclusive representative of employees in bargaining units 3 and 8.

The HGEA concurs with the BOR's proposed inclusion of Position No. 13609 in bargaining unit 8, and is deemed to have waived the right to a hearing thereon (Exhibit C).

The Employer asserts that the duties and responsibilities of Position No. 13609, previously Storekeeper I, are now commensurate with that of the UH Procurement and Property Management II classification. The subject position is located in the Property Management Section, Procurement and Property Management Office, under the Vice President for Finance and Operations, UH. The position is responsible for storekeeping operations, which include supervising the receipt, storing, delivery, issuance, and disposal of equipment, materials and personal property. Further, the subject position performs the following duties in the approximate percentages of work time:

1. Plans, schedules, assigns, coordinates, directs, and reviews the work of subordinates, pursuant to rules, regulations, policies, and procedures governing storekeeping operations; and determines disposition of excess serviceable and unwanted equipment (10%).
2. Plans and coordinates the pick-up, delivery and storage of excess or unused equipment, personal property, and materials with UH campus departments, community colleges, and other State agencies; acknowledges receipt of equipment and personal property; approves property transfer forms; determines needs and serviceability of equipment by UH departments; stores equipment for possible departmental usage; serves as

liaison with UH departments and/or State agencies to notify as to availability of equipment; determines whether equipment should be disposed of after a specified period of time, pursuant to rules and regulations; provides all administrative follow-up for the disposal of obsolete and unserviceable equipment or property in conjunction with the Facilities Management Office; supervises the maintenance of inventory records which include disposed items from the warehouse and transferred equipment; and submit reports as directed (40%).

3. Conducts random audits of equipment controlled by the UH (State and federally funded); insures that results of the audits (existence, cost, physical location, condition, and utilization) are in agreement with UH central accounting records; and reports audit discrepancies to the Procurement and Property Management Office (40%).
4. Supervises personnel in the storage of equipment to insure compliance with health and safety procedures; supervises minor repair of equipment; supervises cleaning and maintenance of the warehouse to insure compliance with existing occupational health and safety rules and regulations, and fire codes; plans and directs the inventory of the warehouse, evaluates work performance of

subordinates; reviews and determines dispensation of requests from subordinate personnel regarding vacation schedules; develops and evaluates operational procedures; and performs other duties as required (10%)

According to the class specifications for the UH Procurement and Property Management Specialist II, this class performs purchasing or procurement activities requiring the application of fundamental professional principles, the application of technical knowledge of procurement procedures and practices, the application of skills and judgment associated with a fully independent professional responsible for providing the full range of purchasing, contracting and/or procurement support services for an organizational unit where technical supervision is limited. The work involves responsibility for providing staff support, such as property inventory and management.

CONCLUSIONS OF LAW

Section 89-6, 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;

* * *

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

Further, the Board in HPERB Decision No. 25, Hawaii Federation of College Teachers, 1 HPERB 289 (1973), described Unit 8 as follows:

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 (hereinafter APT).

APT's generally perform professional level duties which may be unique to the University environment.

Id. at 298.


After a complete review of the duties and responsibilities of Position No. 13609, the Board concludes that the subject position is responsible for performing storekeeping operations which include supervision of receiving, storing, delivering, issuing, and disposing of equipment, materials, and personal property. As such, the Board concludes that this position exercises professional and administrative support duties which are unique to the University environment. Therefore, the inclusion of the subject position in bargaining unit 8 is consistent with Section 89-6, HRS, and previous Board decisions.

ORDER

Position No. 13609, which is being reclassified by the BOR to an APT position entitled UH Procurement and Property Management Specialist II, is transferred from Unit 3 to Unit 8.

DATED: Honolulu, Hawaii, March 1, 1991.

HAWAII LABOR RELATIONS BOARD


BERT M. TOMASU, Chairperson


GERALD K. MACHIDA, Board Member


RUSSELL T. HIGA, Board Member

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