

STATE OF HAWAII
HAWAII LABOR RELATIONS BOARD

In the Matter of

UNITED PUBLIC WORKERS, AFSCME,
LOCAL 646, AFL-CIO,

Complainant,

and

DEPARTMENT OF ENVIRONMENTAL
SERVICES, REFUSE DIVISION, City and
County of Honolulu,

Respondent.

CASE NO. CE-01-789

ORDER NO. 2937

ORDER GRANTING IN PART
COMPLAINANT UPW'S MOTION TO
CONTINUE 8/7/13 & 8/8/13 HEARING;
AND NOTICE OF RESCHEDULED
HEARING

In the Matter of

UNITED PUBLIC WORKERS, AFSCME,
LOCAL 646, AFL-CIO,

Complainant,

and

DEPARTMENT OF ENVIRONMENTAL
SERVICES, City and County of Honolulu;
JAMES QUINONES, City and County of
Honolulu; RIALROME THORNTON, a/k/a
"Boy," City and County of Honolulu; BERT
WONG, City and County of Honolulu;
KENNETH SELF, City and County of
Honolulu; DAVID SHIRAISHI, City and
County of Honolulu; KIRK CALDWELL,
Mayor, City and County of Honolulu,

Respondents.

CASE NO. CE-01-803

In the Matter of

UNITED PUBLIC WORKERS, AFSCME,
LOCAL 646, AFL-CIO,

CASE NO. CE-01-807

Complainant,

and

KIRK CALDWELL, Mayor, City and County of Honolulu; DEPARTMENT OF ENVIRONMENTAL SERVICES, City and County of Honolulu; and RIALROME THORNTON, a/k/a "BOY,"

Respondents.

ORDER GRANTING IN PART COMPLAINANT
UPW'S MOTION TO CONTINUE 8/7/13 & 8/8/13 HEARING

On August 2, 2013, Complainant UNITED PUBLIC WORKERS, AFSCME, LOCAL 646, AFL-CIO (UPW), by and through its counsel, filed a Motion to Continue 8/7/13 & 8/8/13 Hearing (Motion to Continue) with the Hawaii Labor Relations Board (Board), requesting continuance of the hearing scheduled for August 7 and 8, 2013, "to the next available two consecutive day period at least six calendar weeks from said currently scheduled hearing dates." UPW's counsel stated in a Declaration dated August 2, 2013, that he was recently appointed to be the chair of the City's transportation commission, which "requires confirmation by the City's council"; that his confirmation "has been recently unanimously recommended by the City's council's committee on transportation"; and that "the City's council has convened a special meeting on August 7, 2013, to, *inter alia*, vote on its transportation committee's recommendation to confirm the appointment of the declarant as the chair of the City's transportation commission." The Declaration further states that the "declarant has spoken with the opposing counsel in this matter, John S. Mukai, Esq., regarding this motion for continuance" and that "Mr. Mukai, on behalf of the Respondents in these HLRB matters is agreeable to this continuance." The Declaration also states that Respondent JAMES QUINONES "recently retained attorney Peter Trask to represent him in [his] private lawsuit" against UPW steward Sheldon Reyes in their individual capacities.

After reviewing the record in this case and the UPW's Motion to Continue, and based upon UPW's counsel's scheduling conflict, the Board hereby grants in part UPW's Motion to Continue, resulting in the start time for the hearing scheduled on

Note: KIRK CALDWELL, Mayor, City and County of Honolulu, has been substituted in his official capacity for PETER CARLISLE in this consolidated proceeding. See Hawaii Rules of Civil Procedure, Rule 25(b)(1).

August 7, 2013, continued to 1:00 p.m.; all other scheduled dates and times remain the same. The Board further notes that there have previously been numerous continuances granted in this case based upon request by UPW's counsel or agreement between Respondents' counsel and UPW's counsel, as noted in the Board's Order No. 2016, Order Granting in Part and Denying in Part Complainant UPW's Motion to Continue 6/3/13 Status Conference to 6/5/13.

NOTICE OF RESCHEDULED HEARING

NOTICE IS HEREBY GIVEN that the Board will conduct further hearings in this matter on **August 7, 2013, at 1:00 p.m.**, and **August 8, 2013, at 9:00 a.m.** in the Board's hearing room, Room 434, 830 Punchbowl Street, Honolulu, Hawaii.

DATED: Honolulu, Hawaii, August 5, 2013.

HAWAII LABOR RELATIONS BOARD



JAMES B. NICHOLSON, Chair



SESNITA A.D. MOEPONO, Member



ROCK B. LEY, Member

Copies sent to:

Charles K. Y. Khim, Esq.
John S. Mukai, Deputy Corporation Counsel
Peter Liholiho Trask, Esq.