

STATE OF HAWAII

HAWAII LABOR RELATIONS BOARD

In the Matter of )  
 )  
UNITED PUBLIC WORKERS, AFSCME, )  
LOCAL 646, AFL-CIO, )  
 )  
Complainant, )  
 )  
and )  
 )  
TED H. S. HONG, Assistant )  
Corporation Counsel and STEPHEN )  
YAMASHIRO, Mayor, County of )  
Hawaii, )  
 )  
Respondents. )

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CASE NO. CE-01-210  
ORDER NO. 1056  
ORDER CONSOLIDATING CASES  
FOR HEARING ON UPW'S MOTIONS  
FOR SUMMARY JUDGMENT; NOTICE  
OF HEARING

In the Matter of )  
 )  
UNITED PUBLIC WORKERS, AFSCME, )  
LOCAL 646, AFL-CIO, )  
 )  
Complainant, )  
 )  
and )  
 )  
TED H. S. HONG, Assistant )  
Corporation Counsel and STEPHEN )  
YAMASHIRO, Mayor, County of )  
Hawaii, )  
 )  
Respondents. )

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CASE NO. CE-01-213

In the Matter of )  
 )  
UNITED PUBLIC WORKERS, AFSCME, )  
LOCAL 646, AFL-CIO, )  
 )  
Complainant, )  
 )  
and )  
 )  
TED H. S. HONG, Assistant )  
Corporation Counsel and STEPHEN )  
YAMASHIRO, Mayor, County of )  
Hawaii, )  
 )  
Respondents. )

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CASE NO. CE-01-214

In the Matter of

CASE NO. CE-01-219

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

Complainant,

and

TED H. S. HONG, Assistant  
Corporation Counsel and STEPHEN  
YAMASHIRO, Mayor, County of  
Hawaii,

Respondents.

ORDER CONSOLIDATING CASES FOR HEARING ON  
MOTION FOR SUMMARY JUDGMENT; NOTICE OF HEARING

On March 31, 1994, Complainant UNITED PUBLIC WORKERS, AFSCME, LOCAL 646, AFL-CIO (UPW) filed a Motion for Summary Judgment in Case No. CE-01-210. Complainant contends that the Respondents admit that they refused to arbitrate a grievance on the grounds that no unit 01 contract is currently in effect. UPW further contends that there is no genuine issue of material fact in dispute, and it is entitled to judgment as a matter of law.

On April 8, 1994, the UPW filed similar motions for summary judgment in Case No. CE-01-213 and Case No. CE-01-214.

On April 19, 1994, Respondents, by and through their attorneys, filed a memorandum in opposition to Complainant's motion for summary judgment in Case No. CE-03-210. Thereafter, on April 25, 1994, Respondents filed memoranda in opposition to Complainant's motions in Case No. CE-01-213 and Case No. CE-01-214.

Also, on April 25, 1994, Respondents, by and through their attorneys, filed a motion to consolidate hearings on

Complainant's motions for summary judgment in Case No. CE-01-210. On April 26, 1994, the UPW filed a statement with the Board indicating that it did not oppose consolidation of the foregoing three cases solely for the purposes of hearing the motions for summary judgment filed by the UPW.

In addition, on May 11, 1994, the UPW filed a motion for summary judgment raising similar issues in Case No. CE-01-219.

As the motions for summary judgment filed by the UPW involve substantially the same parties and issues, the Board finds that consolidation of the proceedings for the purpose of hearing the motions for summary judgment would be conducive to the proper dispatch of business and the ends of justice and will not unduly delay the proceedings. Hence, the Board, pursuant to Administrative Rules § 12-42-8(g)(13), hereby consolidates these proceedings for the purpose of hearing the subject motions for summary judgment on Respondents' motion and its own motion with respect to Case No. CE-01-219.

YOU ARE HEREBY NOTIFIED that the Board will conduct a hearing pursuant to §§ 89-5(b)(4) and 89-14, HRS, and Administrative Rules §§ 12-42-49 and 12-42-8(g)(3) on the instant motions on May 23, 1994 at 1:30 p.m. in the Board's hearings room, Room 203, 550 Halekauwila Street, Honolulu, Hawaii.

At the hearing, the parties shall submit to the Board four copies of any exhibits identified and introduced into the record. Additional copies for opposing counsel shall also be provided.

All parties have the right to appear in person and to be represented by counsel or other representative.

DATED: Honolulu, Hawaii, May 11, 1994.

HAWAII LABOR RELATIONS BOARD



BERT M. TOMASU, Chairperson



SANDRA H. EBESU, Board Member

Copies sent to:

Herbert R. Takahashi, Esq.  
Ted H. S. Hong, Assistant Corporation Counsel  
Joyce Najita, IRC