

STATE OF HAWAII

HAWAII LABOR RELATIONS BOARD

In the Matter of)	CASE NO. DR-03-55
)	
LEWIS W. POE,)	ORDER NO. 1114
)	
Petitioner,)	ORDER GRANTING PETITIONS
)	FOR INTERVENTION AND GRANTING
and)	HGEA'S MOTION TO CONTINUE
)	BOARD CONFERENCE
HAWAII GOVERNMENT EMPLOYEES)	
ASSOCIATION, AFSCME, LOCAL 152,)	
AFL-CIO; UNITED PUBLIC WORKERS,)	
AFSCME, LOCAL 646, AFL-CIO; and)	
JOHN D. WAIHEE, III, Governor,)	
State of Hawaii,)	
)	
Intervenors.)	

ORDER GRANTING PETITIONS FOR INTERVENTION AND
GRANTING HGEA'S MOTION TO CONTINUE BOARD CONFERENCE

On October 11, 1994, the HAWAII GOVERNMENT EMPLOYEES ASSOCIATION, AFSCME, LOCAL 152, AFL-CIO (HGEA or Union), by and through its counsel, filed a Petition for Intervention with the Hawaii Labor Relations Board (Board). The HGEA alleges that it is the exclusive bargaining representative of Unit 03 and the Union which negotiated the provision which is at issue here. In addition, the HGEA contends that Petitioner LEWIS W. POE (POE) is a member of Unit 03. The HGEA further contends that it has an interest in ensuring that the provisions of its contract are properly interpreted and applied.

Thereafter on October 14, 1994, the UNITED PUBLIC WORKERS, AFSCME, LOCAL 646, AFL-CIO (UPW), by and through its counsel, filed a Petition for Intervention in this matter contending that the UPW has similar or comparable provisions in its

contractual grievance procedure which are being challenged by Petitioner POE. The UPW contends that a decision by this Board may adversely affect the validity of those contractual provisions and as the exclusive representative of Units 01 and 10, the UPW seeks to intervene in this case.

In addition, on October 17, 1994, JOHN D. WAIHEE, III, Governor of the State of Hawaii (Employer), by and through his counsel, filed a Petition for Intervention with the Board. The Employer alleges that he has a statutory right to negotiate the Unit 03 agreement and a contractual interest in preserving the provisions which POE seeks to invalidate.

As the filing of the petitions were timely and the HGEA, the UPW and the Employer have alleged sufficient interests for their respective participation in the proceedings, the Board finds that their participation as intervenors will assist in developing a sound record in this case. The Board thus hereby grants the subject Petitions for Intervention pursuant to Administrative Rules § 12-42-8(g)(14).

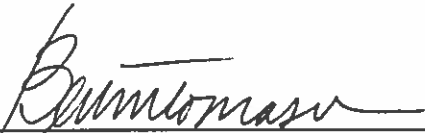
On October 12, 1994, the HGEA filed a motion to continue the Board conference on the instant Declaratory Ruling Petition scheduled on October 21, 1994. Counsel for HGEA states in his affidavit attached to the motion that he will be unable to attend the conference as scheduled because of a prior court commitment on a neighbor island. The HGEA thus requests that the conference be continued until November 4, 1994. HGEA's counsel indicates that he contacted Petitioner POE who refused to agree to the continuance.

For good cause shown, the Board hereby grants the HGEA's motion to continue the conference scheduled in this matter.


YOU ARE HEREBY NOTIFIED that the Board will conduct a conference in the instant matter on November 4, 1994 at 9:00 a.m., in the Board's hearings room, Room 203, 550 Halekauwila Street, Honolulu, Hawaii.

DATED: Honolulu, Hawaii, October 18, 1994.

HAWAII LABOR RELATIONS BOARD



BERT M. TOMASU, Chairperson



RUSSELL T. HIGA, Board Member

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