

STATE OF HAWAII
HAWAII LABOR RELATIONS BOARD

In the Matter of)
CHARLES R. BUNCH,)
)
Complainant,)
)
and)
HAWAII GOVERNMENT EMPLOYEES)
ASSOCIATION, AFSCME, LOCAL 152,)
AFL-CIO; et al.,)
)
Respondents.)

CASE NO. CU-03-99
ORDER NO. 1119
ORDER GRANTING COMPLAINANT'S
REQUEST TO CONTINUE PREHEAR-
ING CONFERENCE; NOTICE OF
RESCHEDULED SECOND PREHEARING
CONFERENCE

In the Matter of)
CHARLES R. BUNCH,)
)
Complainant,)
)
and)
COUNTY OF MAUI; et al.,)
)
Respondents.)

CASE NO. CE-03-221

ORDER GRANTING COMPLAINANT'S REQUEST
TO CONTINUE PREHEARING CONFERENCE;
NOTICE OF RESCHEDULED SECOND PREHEARING CONFERENCE

On October 28, 1994, Complainant CHARLES R. BUNCH filed a request to continue the second prehearing conference scheduled in this matter on November 1, 1994 with the Hawaii Labor Relations Board (Board). The affidavit of Complainant attached to the request indicates that he underwent abdominal surgery in September 1994 and underwent two additional invasive procedures, most recently on or about October 19, 1994, and is unable to participate in any proceedings due to his present medical condition.

Complainant thus requests a continuance of the prehearing conference for ninety (90) days.

On October 31, 1994, counsel for Respondents HAWAII GOVERNMENT EMPLOYEES ASSOCIATION, AFSCME, LOCAL 152, AFL-CIO, et al. (collectively HGEA), filed an affidavit in opposition to Complainant BUNCH's request. Counsel for HGEA stated in his affidavit that he observed Complainant during a judicial proceeding in Maui on or about October 21, 1994 and that Complainant appeared to be physically fit to participate in the present proceedings.

Thereafter, on November 1, 1994, Respondents COUNTY OF MAUI, et al. (collectively Employer), by and through its attorney, also filed objections to Complainant's request to continue the second prehearing conference in this matter. The Employer contends that Complainant's request is for the purposes of delay and that there is no medical reason that Complainant cannot participate in the conference as scheduled. The Employer also noted that a physician's certificate was not submitted in support of Complainant's request. In an affidavit submitted in support of the Employer's objections, Deputy Corporation Counsel Cyrus W. Chan stated that he observed Complainant during a hearing on October 21, 1994 and that he noticed no apparent discomfort on Complainant's part.

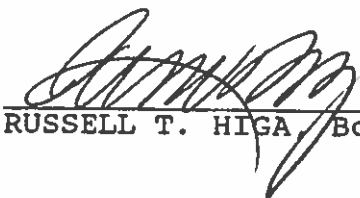
Based upon a review of Complainant's request and consideration of the objections filed by the HGEA and the Employer in this matter, the Board hereby grants Complainant's request to continue the second prehearing conference for thirty days for good cause shown.

YOU ARE HEREBY NOTIFIED that the Board will conduct a second prehearing conference by conference call in this matter on December 1, 1994 at 9:00 a.m. Appropriate provisions of the notice issued on May 19, 1994 and October 21, 1994 remain applicable.

DATED: Honolulu, Hawaii, November 1, 1994.

HAWAII LABOR RELATIONS BOARD


BERT M. TOMASU, Chairperson


RUSSELL T. HIGA, Board Member

Copies sent to:

Charles R. Bunch
Charles K.Y. Khim, Esq.
Howard Fukushima, Deputy Corporation Counsel
Joyce Najita, IRC