

STATE OF HAWAII

HAWAII LABOR RELATIONS BOARD

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| In the Matter of |) | CASE NOS.: | DR-02-58a |
| |) | | DR-03-58b |
| HAWAII GOVERNMENT EMPLOYEES |) | | DR-04-58c |
| ASSOCIATION, AFSCME, LOCAL 152, |) | | DR-09-58d |
| AFL-CIO, |) | | DR-13-58e |
| |) | | |
| |) | ORDER NO. 1196 | |
| Petitioner. |) | | |
| |) | ORDER DENYING COMPLAINANT'S | |
| |) | MOTION TO CONSOLIDATE CASES | |

ORDER DENYING COMPLAINANT'S MOTION TO CONSOLIDATE CASES

On May 12, 1995, Complainant HAWAII GOVERNMENT EMPLOYEES ASSOCIATION, AFSCME, LOCAL 152, AFL-CIO (HGEA) filed with the Hawaii Labor Relations Board (Board) a motion to consolidate the subject petition for declaratory ruling with a prohibited practice complaint filed by the HGEA in Case Nos.: CE-02-245a, et seq. for hearing and all other purposes.

The instant petition for declaratory ruling requests the Board to construe §§ 89-13(a)(5) and 89-13(a)(8), Hawaii Revised Statutes (HRS), to prohibit Jeremy Harris, Mayor of the City and County of Honolulu (Harris) from disclosing disciplinary information concerning employees in bargaining units 02, 03, 04, 09 and 13 prior to reaching agreement through negotiations with the HGEA. On the other hand, the prohibited practice complaint at issue concerns alleged violations of §§ 89-13(a)(5) and 89-13(a)(8), HRS, based upon Respondent's disclosure of disciplinary information regarding specific employees of the Honolulu Police Department (HPD).

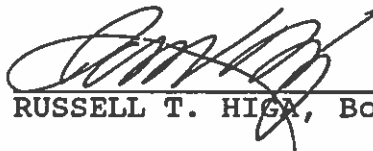
While both cases before the Board involve similar issues and parties, the Board finds that the instant petition for declaratory ruling concerns the disclosure of disciplinary information regarding any of Harris' employees covered by the applicable collective bargaining agreements, while the prohibited practice complaint is narrower in scope and focuses on Harris' disclosure of disciplinary information concerning HPD employees.

In addition, interested parties have until May 30, 1995 to petition to intervene in the proceedings on the instant petition for declaratory ruling, while the parties and amicus curiae to the prohibited practice complaint have been working on stipulated facts and preparing to proceed to hearing on May 31, 1995.

Based upon the foregoing, the Board finds that consolidation of the subject petition for declaratory ruling with the prohibited practice complaint would unduly broaden the issues and delay the proceedings in the prohibited practice complaint. The Board further finds that consolidation of these proceedings will not be conducive to the proper dispatch of business or to the ends of justice. Accordingly, the Board hereby denies the HGEA's motion to consolidate cases pursuant to Administrative Rules § 12-42-8(g)(13).

DATED: Honolulu, Hawaii, May 30, 1995.

HAWAII LABOR RELATIONS BOARD



RUSSELL T. HIGA, Board Member



SANDRA H. EBESU, Board Member

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