

STATE OF HAWAII

HAWAII LABOR RELATIONS BOARD

In the Matter of	)	CASE NOS.:	RA-01-205a
	)		RA-13-205b
JEREMY S. HARRIS, Mayor of the	)		
City and County of Honolulu,	)	ORDER NO.	1212
	)		
Petitioner,	)	ORDER DENYING JAMES TAKUSHI'S	
	)	PETITION FOR INTERVENTION	
and	)		
	)		
UNITED PUBLIC WORKERS, AFSCME,	)		
LOCAL 646, AFL-CIO,	)		
	)		
Intervenor.	)		

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ORDER DENYING JAMES TAKUSHI'S PETITION FOR INTERVENTION

On June 9, 1995, James Takushi, Director, Department of Human Resources Development, State of Hawaii (Takushi or State), by and through his attorneys, filed a Petition for Intervention with the Hawaii Labor Relations Board (Board) in this matter. Petitioner for Intervention Takushi states that he represents the State as a public employer and submits that the Board has no legal authority to make a determination as to the appropriateness of a reallocation action. The State's interest in intervening in this matter is limited to responding to the Board's question as to whether the Board should get involved in the reallocation process. Petitioner indicates that it concurs with the position of Petitioner JEREMY S. HARRIS (HARRIS) and if permitted to intervene, the Petitioner seeks to join in Petitioner's Post-Hearing Brief.

On June 13, 1995, the UNITED PUBLIC WORKERS, AFSCME, LOCAL 646, AFL-CIO (UPW), by and through its attorney, filed a

memorandum in opposition to the State's petition. The UPW contends that the State's petition is untimely given the fact that the State decided not to intervene in the proceedings on May 15, 1995. The UPW further contends that the interests of the State are already represented by Petitioner HARRIS, thus, the State's intervention would unnecessarily delay the proceedings.

Based upon a review of the record before the Board, the Board finds that the State's petition is untimely since it appears that the State was aware of the Board proceedings in this matter and yet filed the instant petition on June 9, 1995, four days prior to the deadline for the filing of post-hearing briefs. More compelling however, is that the State's interest as a public employer is identical to that of HARRIS and that the State merely seeks to join the arguments in HARRIS' Post-Hearing Brief. Thus, the State's interest is already represented by an existing party and its participation will not assist the development of the record in this case.

Accordingly, the Board hereby denies the State's petition.

DATED: Honolulu, Hawaii, July 12, 1995.

HAWAII LABOR RELATIONS BOARD

  
BERT M. TOMASU, Chairperson

  
RUSSELL T. HIGA, Board Member

  
SANDRA H. EBESU, Board Member

JEREMY S. HARRIS, Mayor of the City and County of Honolulu,  
Petitioner and UNITED PUBLIC WORKERS, AFSCME, LOCAL 646, AFL-CIO;  
CASE NOS.: RA-01-205a, RA-13-205b  
ORDER NO. 1212  
ORDER DENYING JAMES TAKUSHI'S PETITION FOR INTERVENTION

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