

STATE OF HAWAII

HAWAII LABOR RELATIONS BOARD

In the Matter of	)	CASE NO. DR-03-59
	)	
LEWIS W. POE,	)	ORDER NO. 1269
	)	
Petitioner,	)	ORDER GRANTING INTERVENOR
	)	HGEA'S MOTION TO CONTINUE
and	)	PREHEARING CONFERENCE;
	)	NOTICE OF RESCHEDULED PRE-
HAWAII GOVERNMENT EMPLOYEES	)	HEARING CONFERENCE
ASSOCIATION, AFSCME, LOCAL 152,	)	
AFL-CIO,	)	
	)	
Intervenor.	)	
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ORDER GRANTING INTERVENOR HGEA'S  
MOTION TO CONTINUE PREHEARING CONFERENCE;  
NOTICE OF RESCHEDULED PREHEARING CONFERENCE

On November 29, 1995, Intervenor HAWAII GOVERNMENT EMPLOYEES ASSOCIATION, AFSCME, LOCAL 152, AFL-CIO (HGEA), by and through its attorney, filed a Motion to Postpone or Adjourn Further Action in this Case, Subject to Call with the Hawaii Labor Relations Board (Board). Intervenor HGEA requested that the Board adjourn or indefinitely postpone the proceedings in this matter, subject to call, specifically the prehearing conference scheduled on December 4, 1995 at 9:00 a.m., because counsel has a conflict in his schedule because of a proceeding before the National Labor Relations Board (NLRB) and will be unable to attend the proceeding. In addition, Intervenor requests the continuance because of the pending issuance of a decision in Case Nos.: DR-03-55 and DR-03-56.

On November 20, 1995, Petitioner LEWIS W. POE (POE) filed an opposition to Intervenor's motion to postpone the case. POE states in an affidavit attached to his opposition that the present case includes an issue involving the right to present a class grievance which is independent of the Board's ruling in pending Case Nos.: DR-03-55 and DR-03-56. In addition, POE asserts that HGEA's motion is not supported by any affidavit or memorandum.

Thereafter, on December 1, 1995, POE filed an opposition and suggestion regarding the HGEA's motion with the Board. POE alleges that HGEA's recent motion was not signed by its counsel. Further, POE alleges that the NLRB sent HGEA's counsel its written notice of the proceeding one week after the Board's notice of prehearing conference, giving counsel notice of the scheduling conflict on or about November 22, 1995. POE thus suggests that the Board conduct its prehearing conference as scheduled and allow counsel to delay the other proceeding by one hour or alternatively, to advance the scheduled conference by one hour.

After considering the arguments of both parties, the Board hereby grants the HGEA's motion to continue the prehearing conference in this matter because of the conflict in counsel's schedule.

YOU ARE HEREBY NOTIFIED that the Board will conduct a prehearing conference in this matter on December 11, 1995 at 3:00 p.m. in the Board's hearings room, Room 203, 550 Halekauwila Street, Honolulu, Hawaii. Appropriate provisions of the notice issued on November 14, 1995 remain applicable.

LEWIS W. POE v. HAWAII GOVERNMENT EMPLOYEES ASSOCIATION, AFSCME,  
LOCAL 152, AFL-CIO; CASE NO. DR-03-59  
ORDER NO. 1269  
ORDER GRANTING INTERVENOR HGEA'S MOTION TO CONTINUE PREHEARING  
CONFERENCE; NOTICE OF RESCHEDULED PREHEARING CONFERENCE

DATED: Honolulu, Hawaii, December 1, 1995.

HAWAII LABOR RELATIONS BOARD



BERT M. TOMASU, Chairperson



RUSSELL T. HIGA, Board Member

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