

STATE OF HAWAII

HAWAII LABOR RELATIONS BOARD

In the Matter of	)	CASE NO. CE-01-275
	)	
UNITED PUBLIC WORKERS, AFSCME,	)	ORDER NO. 1271
LOCAL 646, AFL-CIO,	)	
	)	ORDER GRANTING RESPONDENTS'
Complainant,	)	MOTION TO DEFER HEARING ON
	)	PROHIBITED PRACTICE COMPLAINT
and	)	
	)	
LINDA CROCKETT LINGLE, Mayor	)	
County of Maui, et al.,	)	
	)	
Respondents.	)	

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ORDER GRANTING RESPONDENTS' MOTION  
TO DEFER HEARING ON PROHIBITED PRACTICE COMPLAINT

On December 1, 1995, Respondents LINDA CROCKETT LINGLE, Mayor, County of Maui, et al. (collectively MAUI COUNTY), by and through their attorneys, filed a motion to defer the hearing on the instant prohibited practice complaint with the Hawaii Labor Relations Board (Board). MAUI COUNTY requests that the Board defer the hearing on the subject complaint scheduled on December 13, 1995 until Complainant UNITED PUBLIC WORKERS, AFSCME 646, AFL-CIO (UPW) exhausts its contractual remedies. Respondent MAUI COUNTY alleges that Complainant has filed three grievances involving the same matters which are the subject of the instant prohibited practice complaint. Respondent contends that the grievances are being processed in accordance with the Unit 01 collective bargaining agreement and thus, the Board should defer to the contractual process.

On December 7, 1995, the UPW, by and through its attorney, filed a stipulation to defer the hearing on Complainant's prohibited practice complaint. Complainant stipulates to defer the hearing on the instant prohibited practice complaint until the arbitrations of the following grievances have been completed:

1. PLT/95/10, Unit 01 Class Grievance against the Department of Public Works and Waste Management, County of Maui, for violating the Unit 01 Agreement and the Task Work Policies for Refuse Collection Operations for Maui County (Uku Pau Agreement).
2. PLT/95/11, Unit 01 Class Grievance against the Department of Public Works and Waste Management, County of Maui, for violating the Unit 01 Agreement and the Uku Pau Agreement by unilaterally changing refuse pick up from two days per week to one day per week on Molokai without mutual consent of the Union.
3. PLT/95/12, Unit 01 Class Grievance against the Department of Public Works and Waste Management, County of Maui, for implementing a policy entitled, "Discipline Guidelines To Send Out Crews On Second Run" in violation of the Unit 01 Agreement and the Uku Pau Agreement.
4. PLT/95/13, Unit 01 Class Grievance against the Department of Public Works and Waste Management County of Maui, for implementing a policy concerning patterns of abuse of sick leave in violation of the Unit 01 Agreement.
5. PLT/95/15, Unit 01 Class Grievance against the Department of Public Works and Waste Management, County of Maui, for implementing a policy for payment of overtime for refuse collection on Molokai without mutual consent of the Union in violation of the Unit 01 Agreement and the Uku Pau Agreement.

Complainant further states that it will file a motion to reset the hearing in this matter upon the completion of the arbitration of the foregoing grievances.

Based upon the representations of the parties, the Board hereby defers the hearing in this matter until the completion of

the processing of the foregoing grievances. Either party may file appropriate motions at the conclusion of the grievance process.

DATED: Honolulu, Hawaii, December 12, 1995.

HAWAII LABOR RELATIONS BOARD



BERT M. TOMASU, Chairperson



RUSSELL T. HIGA, Board Member



SANDRA H. EBESU, Board Member

Copies sent to:

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