

STATE OF HAWAII

HAWAII LABOR RELATIONS BOARD

In the Matter of )  
 )  
LINDA CROCKETT LINGLE, Mayor, )  
County of Maui, )  
 )  
Complainant, )  
 )  
and )  
 )  
UNITED PUBLIC WORKERS, AFSCME, )  
LOCAL 646, AFL-CIO, )  
 )  
Respondent. )

CASE NO. CU-01-121

ORDER NO. 1303

ORDER CONSOLIDATING CASES  
FOR DISPOSITION; ORDER GRANT-  
ING MOTION FOR SUBSTITU-  
TION OF PARTIES; NOTICE OF  
HEARING ON PROHIBITED  
PRACTICE COMPLAINTS

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In the Matter of )  
 )  
UNITED PUBLIC WORKERS, AFSCME, )  
LOCAL 646, AFL-CIO, )  
 )  
Complainant, )  
 )  
and )  
 )  
LINDA CROCKETT LINGLE, Mayor, )  
County of Maui and COUNTY OF )  
MAUI, )  
 )  
Respondents. )

CASE NO. CE-01-297

ORDER CONSOLIDATING CASES FOR DISPOSITION;  
ORDER GRANTING MOTION FOR SUBSTITUTION OF PARTIES;  
NOTICE OF HEARING ON PROHIBITED PRACTICE COMPLAINTS

On February 13, 1996, Complainant COUNTY OF MAUI (COUNTY) filed a prohibited practice complaint against the UNITED PUBLIC WORKERS, AFSCME, LOCAL 646, AFL-CIO (UPW) with the Hawaii Labor Relations Board (Board) in Case No. CU-01-121. The complaint alleges, inter alia, that the UPW breached the ground rules in the renegotiation of the Task Work Agreement (Uku Pau) by publicly disclosing the content of negotiations discussions. The COUNTY

contends that the UPW thereby violated §§ 89-13(b)(2) and (4), Hawaii Revised Statutes (HRS).

Thereafter on February 20, 1996, the UPW filed a prohibited practice complaint against LINDA CROCKETT LINGLE, Mayor, County of Maui and the COUNTY OF MAUI with the Board in Case No. CE-01-297. The UPW contends that on or about January 5, 1996, Respondent LINGLE made public announcements in the media regarding the privatization of residential refuse pickup in Maui County. UPW further contends that the Respondent implemented her decision to privatize the refuse pickup and disposal work and has thereby violated §§ 89-13(a)(1), (5) and (7), HRS.

At the prehearing conference held on March 7, 1996, in Case No. CU-01-121, the parties, by and through their respective counsel, agreed to consolidate the cases for disposition because the cases involved the same parties and similar issues. Further, the contemporaneous consideration of the cases would be conducive to the dispatch of business and would not unduly delay the proceedings. The Board thereupon consolidated the cases for disposition pursuant to Administrative Rules § 12-42-8(g)(13).

In addition, the parties, by and through their respective counsel, waived the notice requirements for hearing in Case No. CE-01-297 and agreed to have the Board hear the cases on the merits of the complaints on the date previously scheduled for hearing in Case No. CU-01-121.

Subsequently, on March 13, 1996, the COUNTY OF MAUI filed a motion to substitute parties in Case No. CU-01-121. The COUNTY

requested that LINDA CROCKETT LINGLE, Mayor, County of Maui, be substituted as the Complainant in the case. Counsel for the COUNTY states in an affidavit attached to the motion that the COUNTY was named as a complainant through inadvertence.

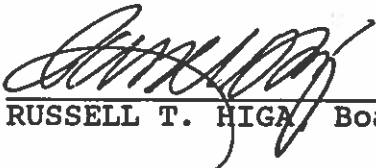
For good cause shown, the Board hereby grants the COUNTY's motion pursuant to Administrative Rules § 12-42-12.

YOU ARE HEREBY NOTIFIED that the Board will conduct a hearing, pursuant to §§ 89-5(b)(4) and 89-14, HRS, and Administrative Rules §§ 12-42-49 and 12-42-8(g) on the instant complaints on March 20, 1996 at 9:00 a.m., in the County of Maui Department of Personnel Services Conference Room, Sixth Floor, 200 High Street, Wailuku, Maui. The purpose of the hearing is to receive evidence and arguments on whether Respondents committed prohibited practices as alleged by the Complainants. The parties shall submit to the Board four copies of all exhibits identified and introduced into the record. Additional copies for opposing counsel shall also be provided.

All parties have the right to appear in person and to be represented by counsel or other representative.

DATED: Honolulu, Hawaii, March 13, 1996.

HAWAII LABOR RELATIONS BOARD

  
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RUSSELL T. HIGA, Board Member

  
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SANDRA H. EBESU, Board Member

LINDA CROCKETT LINGLE, Mayor, County of Maui and UNITED PUBLIC WORKERS, AFSCME, LOCAL 646, AFL-CIO; CASE NO. CU-01-121 and UNITED PUBLIC WORKERS, AFSCME, LOCAL 646, AFL-CIO and LINDA CROCKETT LINGLE, Mayor, County of Maui and COUNTY OF MAUI; CASE NO. CE-01-297

ORDER NO. 1303

ORDER CONSOLIDATING CASES FOR DISPOSITION; ORDER GRANTING MOTION FOR SUBSTITUTION OF PARTIES; NOTICE OF HEARING ON PROHIBITED PRACTICE COMPLAINTS

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