

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. 1306  
ORDER DENYING LINDA CROCKETT  
LINGLE'S MOTION TO CONTINUE  
HEARING; NOTICE OF HEARING ON  
LINGLE'S MOTION TO REVOKE  
SUBPOENA

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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 DENYING LINDA CROCKETT LINGLE'S  
MOTION TO CONTINUE HEARING; NOTICE OF  
HEARING ON LINGLE'S MOTION TO REVOKE SUBPOENA

On March 18, 1996, Complainant/Respondent LINDA CROCKETT LINGLE, Mayor, County of Maui (LINGLE or Employer), by and through her attorneys, filed a motion to revoke the subpoena directed to LINGLE and a motion to continue the hearing with the Hawaii Labor Relations Board (Board). LINGLE requests a continuance of the hearing scheduled on the instant complaints on March 20, 1996, in order for the Board to hear the Employer's motion to revoke the

subpoena directed to LINGLE. Counsel for the Employer suggested that the Board hear the arguments on the motion to revoke subpoena on March 20, 1996, in Honolulu and reset the hearing on the merits to a later time following the Board's decision on the motion.

Also on March 18, 1996, Respondent/Complainant UNITED PUBLIC WORKERS, AFSCME, LOCAL 646, AFL-CIO (UPW), by and through its attorney, filed a memorandum in opposition to the motion to continue hearing with the Board. The UPW opposes the motion on the basis that the Board's rules do not require a hearing on motions of this nature; the motion to quash LINGLE's subpoena can be heard at the commencement of the hearing scheduled on March 20, 1996, thereby not causing a further delay of the proceedings; the UPW will be prejudiced by a continuance because other witnesses have been served with subpoenas and a continuance will cause an undue burden on the UPW and a continuance would be contrary to the need for a prompt hearing of the complaint.

Based upon the arguments presented, the Board hereby denies LINGLE's motion to continue the hearing. The Board agrees with UPW's counsel that the motion to revoke can be heard prior to the hearing on the merits without delaying the proceedings and that a continuance of the hearing would cause undue hardship in that other subpoenas have been already been served.

YOU ARE HEREBY NOTIFIED the Board will conduct a hearing on LINGLE's motion to revoke subpoenas on March 20, 1996, at 9:00 a.m. in the County of Maui Department of Personnel Services Conference Room, 6th Floor, 200 High Street, Wailuku, Maui, prior to the hearing scheduled on the merits of this case.

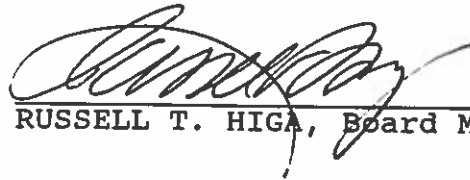
LINDA CROCKETT LINGLE, Mayor, County of Maui and UNITED PUBLIC WORKERS, AFSCME, LOCAL 646, AFL-CIO; CASE NO. CU-01-121 and UNITED PUBLIC WORKERS, AFSCME, LOCAL 646, AFL-CIO and LINDA CROCKETT LINGLE, Mayor, County of Maui and COUNTY OF MAUI; CASE NO. CE-01-297

ORDER NO. 1306

ORDER DENYING LINDA CROCKETT LINGLE'S MOTION TO CONTINUE HEARING; NOTICE OF HEARING ON LINGLE'S MOTION TO REVOKE SUBPOENA

DATED: Honolulu, Hawaii, March 18, 1996.

HAWAII LABOR RELATIONS BOARD



RUSSELL T. HIGA, Board Member



SANDRA H. EBESU, Board Member

Copies sent to:

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