

STATE OF HAWAII
HAWAII LABOR RELATIONS BOARD

In the Matter of)	CASE NO. CU-01-121
)	
LINDA CROCKETT LINGLE, Mayor,)	ORDER NO. 1314
County of Maui,)	
)	
Complainant,)	ORDER GRANTING UPW'S MOTION
)	TO AMEND COMPLAINT; NOTICE OF
and)	FURTHER HEARINGS ON PROHIB-
)	ITED PRACTICE COMPLAINT AND
UNITED PUBLIC WORKERS, AFSCME,)	HEARING ON UPW'S MOTION FOR
LOCAL 646, AFL-CIO,)	INTERLOCUTORY RELIEF
)	
Respondent.)	

In the Matter of)	CASE NO. CE-01-297
)	
UNITED PUBLIC WORKERS, AFSCME,)	
LOCAL 646, AFL-CIO,)	
)	
Complainant,)	
)	
and)	
)	
LINDA CROCKETT LINGLE, Mayor,)	
County of Maui and COUNTY OF)	
MAUI,)	
)	
Respondents.)	

ORDER GRANTING UPW'S MOTION TO AMEND COMPLAINT;
NOTICE OF FURTHER HEARINGS ON PROHIBITED PRACTICE COMPLAINT
AND HEARING ON UPW'S MOTION FOR INTERLOCUTORY RELIEF

On March 22, 1996, Complainant UNITED PUBLIC WORKERS, AFSCME, LOCAL 646, AFL-CIO (UPW), by and through its counsel, filed a motion to amend complaint with the Hawaii Labor Relations Board (Board). The affidavit of counsel attached to the motion states that Complainant seeks to amend its complaint to conform to the evidence which was adduced during the hearings held in this matter on March 20, 1996. Complainant, inter alia, seeks to amend its

complaint to include allegations that Respondent CROCKETT LINGLE unilaterally implemented her decision to subcontract all refuse collection and disposal work covered by the Uku Pau agreement to a private contractor. Complainant alleges that forty or more refuse collectors and drivers in Bargaining unit 01 were displaced by Respondent's actions and that Respondent informed bargaining unit members of the decision without bargaining with the UPW. Complainant further added that Respondent's conduct violated §§ 89-13(a)(1), (3), (5) and (7), HRS.

Respondents CROCKETT LINGLE and the COUNTY OF MAUI did not respond to Complainant's motion.

Based upon the foregoing, the Board hereby grants Complainant's motion to amend its complaint pursuant to Administrative Rules § 12-42-43.

Complainant shall forthwith file its First Amended Prohibited Practice Complaint with the Board. The Board will thereafter serve a copy of the First Amended Prohibited Practice Complaint upon the Respondents.


YOU ARE ALSO NOTIFIED that the Board will conduct further hearings on the merits of the instant prohibited practice complaints on April 11, 1996 at 9:00 a.m. in the Board's hearings room, Room 203, 550 Halekauwila Street, Honolulu, Hawaii. The hearing may continue from day to day until completed.

YOU ARE FURTHER NOTIFIED that the Board will conduct a hearing on the UPW's Motion for Interlocutory Relief filed on April 4, 1996 at the close of the hearings on the merits of the

complaints. The parties have agreed that the motion will be heard no sooner than April 15, 1996.

DATED: Honolulu, Hawaii, April 9, 1996.

HAWAII LABOR RELATIONS BOARD



BERT M. TOMASU, Chairperson



RUSSELL T. HIGA, Board Member

Copies sent to:

Herbert R. Takahashi, Esq.
Howard Fukushima, Deputy Corporation Counsel
Joyce Najita, IRC