

STATE OF HAWAII

HAWAII LABOR RELATIONS BOARD

In the Matter of	)	CASE NOS.:	CE-01-378a
	)		CE-03-378b
UNITED PUBLIC WORKERS, AFSCME,	)		CE-10-378c
LOCAL 646, AFL-CIO and HAWAII	)		CE-13-378d
GOVERNMENT EMPLOYEES ASSOCIA-)		
TION, AFSCME, LOCAL 152,	)	ORDER NO. 1566	
AFL-CIO,)		
	)	ORDER DENYING, IN PART,	
Complainants,	)	RESPONDENT'S MOTION FOR	
	)	EXTENSION TO FILE AN	
and	)	ANSWER TO PROHIBITED	
	)	PRACTICE COMPLAINT	
BENJAMIN J. CAYETANO, Governor,)		
State of Hawaii; LAWRENCE MIIKE,)		
M.D., Director, Department of)		
Health, State of Hawaii; and)		
THOMAS DRISKILL, CEO, Hawaii)		
Health Systems Corporation,)		
Department of Health, State of)		
Hawaii,)		
)		
Respondents.)		

ORDER DENYING, IN PART, RESPONDENTS' MOTION FOR
EXTENSION TO FILE AN ANSWER TO PROHIBITED PRACTICE COMPLAINT

On December 8, 1997, Respondents BENJAMIN J. CAYETANO, Governor, State of Hawaii; LAWRENCE MIIKE, Director, Department of Health, State of Hawaii; and THOMAS DRISKILL, CEO, Hawaii Health Systems Corporation, by and through their counsel, filed a motion for extension to file an answer to the prohibited practice complaint with the Hawaii Labor Relations Board (Board). Respondents request an extension from December 8, 1997 to December 29, 1997 to file an answer with the Board. Respondents' counsel states in an affidavit filed in support of the motion that he seeks an extension to permit Respondents to consult with Complainants to possibly resolve or settle this matter.

Respondents' counsel further states that he has not spoken to Complainant's counsel but left a message with his office.

On December 10, 1997, Complainants, by and through their counsel, filed a memorandum in opposition to Respondents' motion for extension to file their answer with the Board. Complainants' counsel states in an affidavit submitted in support of the motion that Respondents have taken no action to consult with the Complainants to resolve this matter. Complainants contend that Respondents have failed to establish extraordinary circumstances to warrant an extension to answer in this case. Moreover, Complainants contend that the employees of the Hilo Day Activity Center will be prejudiced by any delay and such delay would disrupt the timing of the hearing. Finally, Complainants contend that nothing prevents the parties from discussing possible settlement prior to or at the prehearing conference. Thus, Complainants argue that Respondents' motion is without merit and should be denied.

Upon reviewing the record in this case, the Board finds that Respondents' answer was due on December 8, 1997 and on that date Respondents filed a motion with the Board for a 21-day extension of time to answer the complaint. In light of Complainant's arguments in opposition to the Respondents' motion, the Board denies Respondents' motion for a 21-day extension of time to file an answer. However, as the time for filing Respondents' answer is now past, the Board will grant Respondents an extension until December 15, 1997 to answer the instant complaint.

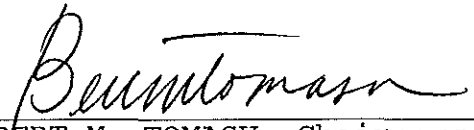
UNITED PUBLIC WORKERS, AFSCME, LOCAL 646, AFL-CIO and HAWAII
GOVERNMENT EMPLOYEES ASSOCIATION, AFSCME, LOCAL 152, AFL-CIO and
BENJAMIN J. CAYETANO, Governor, State of Hawaii; et al.; CASE
NOS.: CE-01-378a, CE-03-378b, CE-10-378c, CE-13-378d

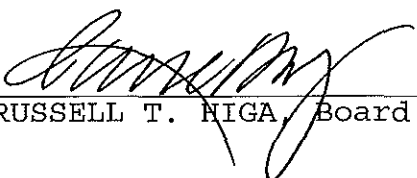
ORDER NO. 1566


ORDER DENYING, IN PART, RESPONDENT'S MOTION FOR EXTENSION TO FILE
AN ANSWER TO PROHIBITED PRACTICE COMPLAINT

DATED: Honolulu, Hawaii, December 10, 1997.

HAWAII LABOR RELATIONS BOARD


BERT M. TOMASU, Chairperson


RUSSELL T. NIGA, Board Member


CHESTER C. KUNITAKE, Board Member

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