

STATE OF HAWAII

HAWAII LABOR RELATIONS BOARD

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| In the Matter of |) | CASE NOS.: | CE-02-387a |
| |) | | CE-03-387b |
| HAWAII GOVERNMENT EMPLOYEES |) | | CE-04-387c |
| ASSOCIATION, AFSCME, LOCAL 152, |) | | CE-09-387d |
| AFL-CIO, |) | | CE-13-387e |
| |) | | |
| Complainant, |) | ORDER NO. 1602 | |
| |) | | |
| and |) | ORDER GRANTING COMPLAIN- | |
| |) | ANT'S MOTION TO AMEND PRO- | |
| BENJAMIN J. CAYETANO, Governor, |) | HIBITED PRACTICE COMPLAINT; | |
| State of Hawaii; SAM CALLEJO, |) | NOTICE OF PREHEARING CON- | |
| Comptroller, Department of |) | FERENCE AND HEARING ON | |
| Accounting and General Services, |) | PROHIBITED PRACTICE COM- | |
| State of Hawaii; HERMAN AIZAWA, |) | PLAINT | |
| Superintendent, Department of |) | | |
| Education, State of Hawaii; |) | | |
| LORRAINE AKIBA, Director, |) | | |
| Department of Labor and |) | | |
| Industrial Relations, State of |) | | |
| Hawaii; KAZU HAYASHIDA, Direc- |) | | |
| tor, Department of Transporta- |) | | |
| tion, State of Hawaii; SUSAN |) | | |
| CHANDLER, Director, Department |) | | |
| of Human Services, State of |) | | |
| Hawaii; MARJORY S. BRONSTER, |) | | |
| Attorney General, Department of |) | | |
| the Attorney General, State of |) | | |
| Hawaii; MICHAEL WILSON, Direc- |) | | |
| tor, Department of Land and |) | | |
| Natural Resources, State of |) | | |
| Hawaii; KALI WATSON, Director, |) | | |
| Department of Hawaiian Home |) | | |
| Lands; and JAMES TAKUSHI, |) | | |
| Director, Department of Human |) | | |
| Resources Development, State of |) | | |
| Hawaii, |) | | |
| |) | | |
| |) | | |
| Respondents. |) | | |

ORDER GRANTING COMPLAINANT'S MOTION TO AMEND
PROHIBITED PRACTICE COMPLAINT; NOTICE OF PREHEARING
CONFERENCE AND HEARING ON PROHIBITED PRACTICE COMPLAINT

On February 27, 1998, Complainant HAWAII GOVERNMENT EMPLOYEES ASSOCIATION, AFSCME LOCAL 152, AFL-CIO filed a prohibited practice complaint against the above-named Respondents with the Hawaii Labor Relations Board (Board). Complainant alleged that Respondents refused to negotiate over the transfer of employees to the Kapolei State Office Building. Thus, Complainant contends that Respondents wilfully violated §§ 89-13(a)(5), (7), and (8), Hawaii Revised Statutes (HRS).

Thereafter, on March 16, 1998, Complainant HGEA filed a motion to amend its prohibited practice complaint filed on February 27, 1998 with the Board. Complainant's counsel states in an affidavit filed in support of the motion that he was contacted by opposing counsel questioning the accuracy of the Respondents named in this complaint. Upon verification, Complainant seeks to amend its complaint to delete KALI WATSON, Director, Department of Hawaiian Home Lands and to add Lawrence Miike, Director, Department of Health as a Respondent. Complainant's counsel further states that opposing counsel does not object to the proposed amendment.

Based upon the foregoing, the Board hereby grants Complainant's motion to amend its complaint filed on February 27, 1998. Complainant shall forthwith file its Amended Prohibited Practice Complaint with the Board.

YOU ARE HEREBY NOTIFIED that the Board, pursuant to § 89-5(b)(4), HRS, and Administrative Rules § 12-42-47, will conduct a prehearing conference on the above-entitled prohibited practice complaint on March 27, 1998 at 9:00 a.m., in the Board's hearings room, Room 434, 830 Punchbowl Street, Honolulu, Hawaii.

The purpose of the prehearing conference is to arrive at a settlement or clarification of issues, to identify and exchange witness and exhibit lists, if any, and to the extent possible, reach an agreement on facts, matters or procedures which will facilitate and expedite the hearing or adjudication of the issues presented. The parties shall file a Prehearing Statement which addresses the foregoing matters with the Board two days prior to the prehearing conference.

YOU ARE ALSO 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 complaint on April 3, 1998 at 9:00 a.m. in the above-mentioned hearings room. The purpose of the hearing is to receive evidence and arguments on whether Respondents committed prohibited practices as alleged by the Complainant. The hearing may continue from day to day until completed.

The parties shall submit to the Board four copies of all exhibits identified and offered 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.

Auxiliary aids and services are available upon request, call Dolorita Kato at 586-8610, (808) 586-8847 (TTY), or 1-888-569-6859 (TTY neighbor islands). A request for reasonable accommodations should be made no later than ten working days prior to the needed accommodation.

HAWAII GOVERNMENT EMPLOYEES ASSOCIATION, AFSCME, LOCAL 152,
AFL-CIO and BENJAMIN CAYETANO, Governor, State of Hawaii; et al;
CASE NOS.: CE-02-387a, CE-03-387b, CE-04-387c, CE-09-387d,
CE-13-387e

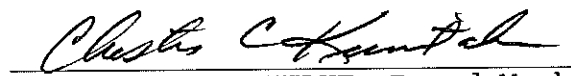
ORDER NO. 1602

ORDER GRANTING COMPLAINANT'S MOTION TO AMEND PROHIBITED PRACTICE
COMPLAINT; NOTICE OF PREHEARING CONFERENCE AND HEARING ON PRO-
HIBITED PRACTICE COMPLAINT

DATED: Honolulu, Hawaii, March 16, 1998.

HAWAII LABOR RELATIONS BOARD


BERT M. TOMASU, Chairperson


CHESTER C. KUNITAKE, Board Member

Copies sent to:

Peter Liholiho Trask, Esq.
Jan Kemp, Deputy Attorney General
Joyce Najita, IRC