

STATE OF HAWAII
HAWAII LABOR RELATIONS BOARD

In the Matter of)	CASE NO. CE-03-427
)	
HAWAII GOVERNMENT EMPLOYEES)	ORDER NO. 1840
ASSOCIATION, AFSCME, LOCAL 152,)	
AFL-CIO,)	ORDER
)	
Complainant,)	
)	
and)	
)	
BENJAMIN J. CAYETANO, Governor,)	
State of Hawaii; TIM JOHNS,)	
Chairman, Department of Land &)	
Natural Resources, State of)	
Hawaii; MASON YOUNG, Admin-)	
istrator, Bureau of Conveyances,)	
Department of Land & Natural)	
Resources, State of Hawaii;)	
and NICOLENE GEGA-CHANG,)	
Chief, Bureau of Conveyances,)	
Department of Land & Natural)	
Resources, State of Hawaii,)	
)	
Respondents.)	

ORDER

In order to assist the Hawaii Labor Relations Board (Board) in issuing a ruling in this matter, Respondents are directed to submit a proposed order, including proposed findings of fact, conclusions of law, reflecting a Board ruling in this case that:

1) The Board has jurisdiction over this complaint pursuant to §§ 89-5 and 89-14, Hawaii Revised Statutes (HRS).

2) The Board finds that Complainant failed to prove that Respondents violated §§ 89-13(a)(1), (2), and (7), HRS. The Board

finds, based upon the credible evidence in the record, that Respondent NICOLENE GEGA-CHANG (GEGA-CHANG), head of the Review Branch at the Bureau of Conveyances, Department of Land and Natural Resources, State of Hawaii Branch and a supervisor, told her subordinates during an internal union election conducted on work premises, words to the effect: "Go across the hall, ask questions and vote and, if you don't vote, don't come grumbling to me." The Board finds that GEGA-CHANG's actions did not interfere with, restrain, or coerce the employees in the free exercise of their rights to vote in the stewards election.

3) Accordingly, the Board will dismiss the instant complaint.

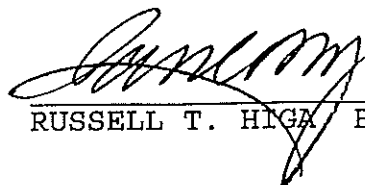
Respondents have 20 days, unless such time is extended by the Board, to draft the order and secure the approval as to form of opposing counsel thereon and to file the original and five copies of the order, accompanied by a diskette with a copy of the order, with the Board. If the form of the proposed findings of fact and conclusions of law have not been approved, a party served with the proposed order may file objections and a copy of his proposed order, accompanied by a diskette with a copy of the order, with the Board within seven working days.

DATED: Honolulu, Hawaii, March 8, 2000.

HAWAII LABOR RELATIONS BOARD



BERT M. TOMASU, Chairperson



RUSSELL T. HIGA, Board Member

HAWAII GOVERNMENT EMPLOYEES ASSOCIATION, AFSCME, LOCAL 152, AFL-CIO
and BENJAMIN J. CAYETANO, Governor, State of Hawaii; et al.
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CHESTER C. KUNITAKE, Board Member

Copies sent to:

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