

STATE OF HAWAII  
HAWAII LABOR RELATIONS BOARD

In the Matter of )  
 )  
BENJAMIN J. CAYETANO, Governor, )  
State of Hawaii; JEREMY HARRIS, Mayor, )  
City and County of Honolulu; JAMES )  
APANA, Mayor, County of Maui; STEPHEN )  
YAMASHIRO, Mayor, County of Hawaii; )  
and MARYANNE KUSAKA, Mayor, County )  
of Kauai, )  
 )  
Public Employers, )  
 )  
and )  
 )  
UNITED PUBLIC WORKERS, AFSCME, )  
LOCAL 646, AFL-CIO, )  
 )  
Exclusive )  
Representative. )

CASE NO. INV-01-01/S-01-70  
ORDER NO. 1964  
ORDER GRANTING IN PART, DENY-  
ING IN PART, UPW'S MOTION TO  
PERMIT DEPOSITIONS

ORDER GRANTING IN PART, DENYING IN  
PART, UPW'S MOTION TO PERMIT DEPOSITIONS

On November 24, 2000, the Exclusive Representative UNITED PUBLIC WORKERS, AFSCME, LOCAL 646, AFL-CIO (UPW), by and through its attorney, filed a Motion to Permit Depositions By Exclusive Representative with the Hawaii Labor Relations Board (Board).

The UPW has requested leave to take the deposition of Paul B. Gusman (Gusman), DLNR Construction Maintenance Worker I, State Parks, to "establish that petitioner can maintain the Kokee Water System with existing automation and supervisory employees and take other measures to abate concerns for health or safety." The Board notes that Gusman is a member of bargaining unit 1. As the exclusive representative, UPW has leave to conduct a 15-minute deposition and the petitioner has the equal opportunity to depose Mr. Gusman limited to 15 minutes. In the alternative, should the petitioner choose to waive cross examination by deposition, then UPW should submit an affidavit of Mr. Gusman in lieu of a deposition.


The UPW has requested leave to take the deposition of Attilio K. Leonardi, City and County Fire Chief, to ask about the number of fires in district over the past two years that required the assistance of the State of Hawaii Department of Land and Natural

Resources crews. In lieu of a deposition, the Board amends Order No. 1961 to allow the UPW to call Fire Chief Leonardi before the Board at 9:00 a.m. on Saturday, December 2, 2000. The closing arguments set for this petition will proceed as scheduled on December 2, 2000 following the examination of Chief Leonardi.

After reviewing the remainder of depositions requested in UPW's motion and the record, the Board finds these witnesses were previously identified and excluded by Board Order No. 1961, issued on November 22, 2000. Accordingly, the Board hereby denies the UPW's motion to permit depositions of the witnesses listed except as directed above.

DATED: Honolulu, Hawaii, November 27, 2000.

HAWAII LABOR RELATIONS BOARD

  
BRIAN K. NAKAMURA, Chair

  
CHESTER C. KUNITAKE, Member

  
KATHLEEN RACUYA-MARKRICH, Member

Copies sent to:

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