

STATE OF HAWAII
HAWAII LABOR RELATIONS BOARD

In the Matter of)
)
UNITED PUBLIC WORKERS, AFSCME,)
LOCAL 646, AFL-CIO,)
)
Complainant,)
)
and)
)
BENJAMIN J. CAYETANO, Governor,)
State of Hawaii and DAVIS YOGI, Director,)
Department of Human Resources Development,)
State of Hawaii,)
)
Respondents.)

CASE NO. CE-01-457
ORDER NO. 1967
ORDER APPOINTING HEARINGS
OFFICER; NOTICE OF PREHEARING
CONFERENCE AND HEARING ON
PROHIBITED PRACTICE COM-
PLAINT

ORDER APPOINTING HEARINGS OFFICER; NOTICE OF PREHEARING
CONFERENCE AND HEARING ON PROHIBITED PRACTICE COMPLAINT

On November 13, 2000, the UNITED PUBLIC WORKERS, AFSCME, LOCAL 646, AFL-CIO (UPW) filed a prohibited practice complaint against Respondents BENJAMIN J. CAYETANO, Governor, State of Hawaii and DAVIS YOGI, Director, Department of Human Resources Development, State of Hawaii (collectively Employer) with the Hawaii Labor Relations Board (Board). The UPW alleges that commencing on and after January 1, 2000, the UPW filed various grievances affecting bargaining unit 01 employees with the Employer and the Employer wilfully refused to select an arbitrator for a grievance and refused to proceed to final and binding resolution of the dispute. The UPW thus contends that the Employer violated Hawaii Revised Statutes (HRS) §§ 89-13(a)(1), (5), (7), and (8).

Pursuant to HRS § 89-5, the Board hereby appoints Valri Lei Kunimoto to serve as the hearings officer in this case.

NOTICE IS HEREBY GIVEN that the hearings officer, pursuant to HRS §§ 89-5(b)(4) and (5) and Hawaii Administrative Rules (HAR) § 12-42-47, will conduct a prehearing conference on the above-entitled prohibited practice complaint on December 18, 2000 at 8:30 a.m., or as soon thereafter as the case can be heard in the Board's hearing 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 hearings officer two days prior to the prehearing conference.

NOTICE IS ALSO GIVEN that the hearings officer 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 December 27, 2000 at 9:30 a.m., or as soon thereafter as the case can be heard in the above-mentioned hearing 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 hearings officer 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.

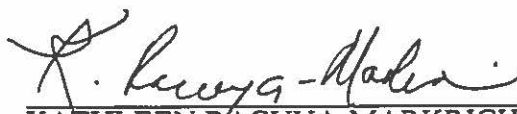
Auxiliary aids and services are available upon request, call Mrs. Kato at (808) 586-8610, (808) 586-8847 (TTY), or 1-888-569-6859 (TTY neighbor islands). A request for reasonable accommodations should be made no later than ten working days prior to the needed accommodation.

DATED: Honolulu, Hawaii, November 29, 2000.

HAWAII LABOR RELATIONS BOARD


BRIAN K. NAKAMURA, Chair


CHESTER C. KUNITAKE, Member


KATHLEEN RACUYA-MARKRICH, Member

Copies sent to:
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Joyce Najita, IRC