

STATE OF HAWAII
HAWAII LABOR RELATIONS BOARD

In the Matter of

DEBORAH TAYLOR; CANDICE SIGRAH;
COLEEN RAFFERTY-STAMPER; MARIE
AHUNA; SHELLY FERNANDEZ;
DOROTHY GALIA; MELANIE
MANARPAAC; and GAIL TORRES,

Complainants,

and

EDDIE ESPIRITU; ALBERT MURASHIGE;
and UNITED PUBLIC WORKERS, AFSCME,
LOCAL 646, AFL-CIO,

Respondents.

CASE NO. CU-10-184

ORDER NO. 2031

ORDER GRANTING, IN PART,
COMPLAINANTS' REQUEST FOR
CONTINUANCE; NOTICE OF
RESCHEDULED HEARING

ORDER GRANTING, IN PART, COMPLAINANTS'
REQUEST FOR CONTINUANCE; NOTICE OF RESCHEDULED HEARING

The Hawaii Labor Relations Board (Board) previously scheduled a hearing on Respondents EDDIE ESPIRITU and UNITED PUBLIC WORKERS, AFSCME, LOCAL 646, AFL-CIO's (collectively Union) motion to dismiss and/or for summary judgment filed on August 14, 2001 on August 29, 2001 at 9:30 a.m. On August 27, 2001, Complainants,' by their representative, filed a request to continue the hearing for 60 days because they believe they cannot adequately represent themselves and need additional time for their newly retained counsel to prepare for the case.

Also on August 27, 2001, Respondent Union filed an opposition to Complainants' motion for continuance with the Board. Respondent Union contends, inter alia, Complainants' motion was not filed in conformance with Hawaii Administrative Rules (HAR) § 12-42-8(g)(3)(C) because it was not accompanied by an affidavit and served in a timely manner; a continuance would delay the disposition of the compliant in violation of HAR § 12-42-46(b); and Complainants are already late in responding to the Union's motion and any continuance is solely for the purpose of delay.

In addition, Respondent ALBERT MURASHIGE, by his counsel, who previously filed a motion to dismiss on in the alternative for summary judgment with the Board on August 24, 2001, notified the Board that she does not object to a continuance of the hearing.

After considering Complainants' request for a 60-day continuance, the Board finds there is good cause to continue the hearing date to permit Complainants' counsel additional time to prepare for the hearing. As the Board is also sensitive to Respondent Union's technical objections to Complainants' request, the Board hereby grants Complainants' request for continuance for 30 days.

NOTICE IS HEREBY GIVEN that the hearing on the Union's and Employer's respective motions to dismiss and/or for summary judgment is rescheduled to September 28, 2001 at 9:30 a.m. in the Board's hearing room, Room 434, 830 Punchbowl Street, Honolulu, Hawaii.

DATED: Honolulu, Hawaii, August 28, 2001.

HAWAII LABOR RELATIONS BOARD


BRIAN K. NAKAMURA, Chair


CHESTER C. KUNITAKE, Member


KATHLEEN RACUYA-MARKRICH, Member

Copies sent to:

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