

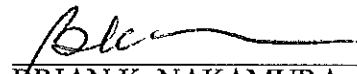
On December 12, 2001, the COUNTY OF MAUI (MAUI COUNTY) filed a petition for intervention with the Board. MAUI COUNTY alleges that it is a public employer and a party to the collective bargaining agreements containing the provision being challenged by the CITY in this petition. MAUI COUNTY further alleges that its Mayor signed the agreements with reservations and his vote constituted the fifth vote from the employer group.

Based on the foregoing, the Board finds that the UPW, the STATE, and MAUI COUNTY have alleged sufficient interests to intervene in this case. Accordingly, the Board grants the UPW, the STATE, and MAUI COUNTY's respective petitions for intervention pursuant to Hawaii Administrative Rules (HAR) §§ 12-42-8(g)(14) and 12-42-9(e).

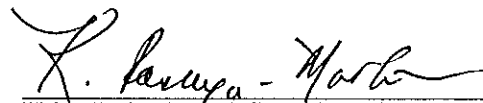
On December 5, 2001, the UPW filed a Motion to Dismiss with the Board. The UPW contends that the petition is barred by the 90-day statute of limitations; Petitioner lacks standing to maintain the action; the issuance of a declaratory order may adversely affect the interests of the Board in pending litigation; and Petitioner failed to establish proof of "good cause" to issue a declaratory ruling on matters resolved in negotiations. Responses to the UPW's motion to dismiss shall be filed with the Board by the close of business on January 14, 2002.

DATED: Honolulu, Hawaii, December 14, 2001

HAWAII LABOR RELATIONS BOARD


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