


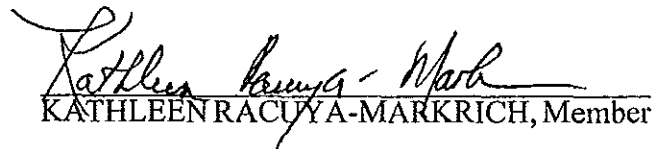
HAWAII GOVERNMENT EMPLOYEES ASSOCIATION, AFSCME, LOCAL 152, AFL- CIO
and BENJAMIN J. CAYETANO, et al.
CASE NOS.: CE-02-477a, CE-03-477b, CE-04-477c, CE-09-477d, CE-13-477e
ORDER NO. 2080
ORDER CONFIRMING STIPULATED AGREEMENT AND GRANTING COMPLAINANT'S
MOTION TO WITHDRAW COMPLAINT; APPENDIX A.

Dated: Honolulu, Hawaii, April 29, 2002.

HAWAII LABOR RELATIONS BOARD


BRIAN K. NAKAMURA, Chair


CHESTER C. KUNITAKE, Member


KATHLEEN RACUYA-MARKRICH, Member

Copies sent to:

Peter Liholiho Trask, Esq.
Daniel A. Morris, Deputy Attorney General
Joyce Najita, IRC

PETER LIHOLIHO TRASK #2089

THE LAW OFFICES OF PETER LIHOLIHO TRASK
888 Mililani Street, Penthouse Suite #2
Honolulu, Hawaii 96813
Telephone: (808) 536-1205
Facsimile: (808) 536-7816

02 APR -5 8:34

Attorney For HAWAII GOVERNMENT EMPLOYEES
ASSOCIATION, AFSCME, LOCAL 152, AFL-CIO

HAWAII
LABOR RELATIONS BOARD

HAWAII LABOR RELATIONS BOARD

STATE OF HAWAII

In the Matter of)	CASE NO. CE-02-477a
)	CE-03-477b
HAWAII GOVERNMENT EMPLOYEES)	CE-04-477c
ASSOCIATION, AFSCME, LOCAL)	CE-09-477d
152, AFL-CIO,)	CE-13-477e
)	
Complainant,)	STIPULATED AGREEMENT
)	
And)	
)	
BENJAMIN J. CAYETANO,)	
Governor, State of Hawaii;)	
DAVIS YOGI, Director,)	
Department of Human Resources)	
Development, State of Hawaii,)	
)	
Respondents.)	

STIPULATED AGREEMENT

WHEREAS, the HAWAII GOVERNMENT EMPLOYEES ASSOCIATION, AFSCME, LOCAL 152, AFL-CIO (hereinafter "Complainant") filed a Prohibited Practice Complaint on August 27, 2001, against BENJAMIN J. CAYEATANO, Governor, State of Hawaii, and DAVIS YOGI, Director, Department of Human Resources Development, State of Hawaii (hereinafter "Respondents"), alleging that said Respondents committed a prohibited practice in violation of

Hawaii Revised Statutes Section 89-13(a) (5), (7) and (8); and

WHEREAS, Complainant's Complaint and the substance and nature of the allegations of the prohibited practice violation are contained in Case No. CE-02-477a, CE-03-477b, CE-04-477c, CE-09-477d and CE-13-477e, Hawaii Labor Relations Board, State of Hawaii; and

WHEREAS, the Respondents have filed an Answer to the Prohibited Practice Complaint on September 10, 2001, which generally and specifically deny the violations of Hawaii Revised Statutes Section 89-13(a) (5), (7) and (8); and

WHEREAS, the matter was previously scheduled for factual hearing on the merits of the Prohibited Practice Complaint, and Respondent's denial for January 7, 2002, before the Hawaii Labor Relations Board, and subsequently continued; and

WHEREAS, notwithstanding the parties' respective contentions, Complainant and Respondents desire to resolve all issues arising from the prohibited practice complaint in order to avoid further controversy, litigation and expense;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between Complainant and Respondents that the above-captioned prohibited practice complaint shall be resolved on the following terms and conditions:

1. Complainant and Respondents agree to resolve the prohibited practice complaint herein by implementation of the following agreed language:

- 2.

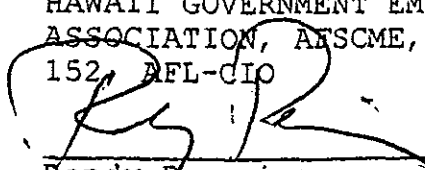
All supervisors are expected to complete timely PAS evaluations on their subordinate employees. Supervisors and managers who do not perform timely evaluations shall be subject to review for disciplinary action in accordance with the respective collective bargaining agreement

Step movement increases shall not be delayed because of uncompleted, untimely PAS evaluations. In the event the evaluation is not completed in a timely fashion, an expedited interim evaluation form will be made to determine satisfactory performance, upon which timely Step movement increase will occur.


2. The parties, both Complainant and Respondents, agree that the Hawaii Labor Relations Board shall confirm the terms of the Stipulated Agreement in an order of the Hawaii Labor Relations Board, State of Hawaii in Case No. CE-02-477a, CE-03-477b, CE-04-477c, CE-09-477d and CE-13-477e, In the Matter of Hawaii Government Employees Association, AFSCME, Local 152, AFL-CIO, Complainant, vs. Benjamin J. Cayetano, Governor, State of Hawaii; Davis Yogi, Director, Department of Human Resources Development, State of Hawaii, Respondents.

DATED: Honolulu, Hawaii, April 5, 2002.

HAWAII GOVERNMENT EMPLOYEES
ASSOCIATION, AFSCME, LOCAL
152, AFL-CIO

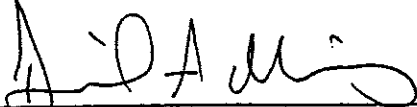

Randy Ferreira
Deputy Executive Director
Complainant

BENJAMIN J. CAYETANO,
Governor, State of Hawaii;
DAVIS YOGI, Director,
Department of Human Resources
Development, State of Hawaii,



Davis Yogi, Director
Respondents

APPROVED AS TO FORM & CONTENT



DANIEL A. MORRIS, ESQ.
Deputy Attorney General

STIPULATED AGREEMENT
CASE NO. CE-02-477a, CE-03-477b, CE-04-477c
CE-09-477d and CE-13477e