

STATE OF HAWAII
HAWAII LABOR RELATIONS BOARD

In the Matter of)	CASE NO. CU-03-234
RICHARD K. CONDON,)	ORDER NO. 2283
Complainant,)	ORDER GRANTING RESPONDENTS'
and)	MOTION TO CONTINUE, FILED ON
HAWAII GOVERNMENT EMPLOYEES)	OCTOBER 22, 2004; AND NOTICE OF
ASSOCIATION, AFSCME, LOCAL 152,)	RESCHEDULED PREHEARING
AFL-CIO; MARVIS TAUALA, Union Agent,)	CONFERENCE AND HEARING
Hawaii Government Employees Association,)	
Local 152, AFL-CIO; and SANFORD CHUN,)	
Field Services Officer, Hawaii Government)	
Employees Association, Local 152, AFL-CIO,)	
Respondents.)	

ORDER GRANTING RESPONDENTS' MOTION TO
CONTINUE, FILED ON OCTOBER 22, 2004; AND NOTICE
OF RESCHEDULED PREHEARING CONFERENCE AND HEARING

On October 22, 2004, Respondents HAWAII GOVERNMENT EMPLOYEES ASSOCIATION, AFSCME, LOCAL 152, AFL-CIO, et al., by and through their counsel, filed a motion with the Hawaii Labor Relations Board (Board) to continue the prehearing conference and hearing in this matter presently scheduled on October 28, 2004 and November 17, 2004, respectively. Respondents' counsel states in a declaration in support of the motion that he is unavailable on October 28, 2004 because he is scheduled for an arbitration. Counsel further states he will be unable to adequately prepare for the hearing on November 17, 2004 because of scheduling conflicts and priorities. Respondents thus seek a continuance of the hearing until November 29 or 30, 2004.

On October 25, 2004, Complainant filed an opposition to Respondent's (sic) motion to continue with the Board. Complainant indicated that while he understood Respondents' counsel has other obligations, he believes counsel should have declined representing Respondents in this case because of his busy schedule. In addition, Complainant stated his belief that Respondents intend to use the time to "catch-up" on their obligations.

After considering the record and the foregoing arguments, the Board finds good cause to grant the continuance of the prehearing conference as Respondents' counsel is

unavailable at the scheduled time. In addition, the Board finds good cause to grant the continuance of the hearing as Complainant has not demonstrated any undue prejudice by a 12-day delay in the hearing date.

NOTICE IS HEREBY GIVEN that the prehearing conference is rescheduled on November 1, 2004 at 9:30 a.m. in the Board's hearing room, Room 434, 830 Punchbowl Street, Honolulu, Hawaii.

NOTICE IS ALSO GIVEN that the hearing on the merits is rescheduled on November 29, 2004 at 9:30 a.m. in the above-referenced hearing room.

DATED: Honolulu, Hawaii, October 27, 2004.

HAWAII LABOR RELATIONS BOARD



BRIAN K. NAKAMURA, Chair



CHESTER C. KUNITAKE, Member



KATHLEEN RACUYA-MARKRICH, Member

Copies sent to:

Peter Liholiho Trask, Esq.
Richard K. Condon
Joyce Najita, IRC