

STATE OF HAWAII
HAWAII LABOR RELATIONS BOARD

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| In the Matter of |) | CASE NO. CE-01-609 |
| |) | |
| UNITED PUBLIC WORKERS, AFSCME, |) | ORDER NO. 2372 |
| LOCAL 646, AFL-CIO, |) | |
| |) | ORDER GRANTING COMPLAINANT'S |
| Complainant, |) | MOTION TO SCHEDULE HEARING; AND |
| |) | NOTICE OF PREHEARING CONFERENCE |
| and |) | AND HEARING ON PROHIBITED |
| |) | PRACTICE COMPLAINT |
| |) | |
| HAWAII HEALTH SYSTEMS CORPORA- |) | |
| TION - HILO MEDICAL CENTER, State of |) | |
| Hawaii, |) | |
| |) | |
| Respondent. |) | |

ORDER GRANTING COMPLAINANT'S MOTION
TO SCHEDULE HEARING; AND NOTICE OF PREHEARING
CONFERENCE AND HEARING ON PROHIBITED PRACTICE COMPLAINT

On April 7, 2006, Complainant filed a Motion to Schedule Hearing with the Hawaii Labor Relations Board (Board). Complainant's counsel states in an affidavit that the Board held a hearing on Respondent's Motion to Dismiss Prohibited Practice Complaint which was granted, in part and denied, in part. The Board held that it would hear any claims that Respondent breached its duty to bargain in good faith under Hawaii Revised Statutes (HRS) §§ 89-13(a)(5) and (8) to disclose any information necessary to the investigating and processing of the grievance which was requested by Complainant prior to the appointment of an arbitrator in this matter and which Respondent did not fully respond to.

For good cause shown, the Board hereby grants the instant motion to schedule a hearing in this matter.

NOTICE IS HEREBY GIVEN that the Board, pursuant to HRS §§ 89-5(i)(4) and (i)(5) and Hawaii Administrative Rules (HAR) § 12-42-47, will conduct a prehearing conference on the above-entitled prohibited practice complaint on April 26, 2006 at 9:00 a.m. 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 Board two days prior to the prehearing conference.

NOTICE IS ALSO GIVEN that the Board, pursuant to HRS §§ 89-5(i)(4), 89-5(i)(5), and 89-14, and HAR § 12-42-8(g), will conduct a hearing on the instant complaint on May 4, 2006 at 9:30 a.m. in the above-referenced hearing room. The purpose of the hearing is to receive evidence and arguments on whether Respondent committed prohibited practices as alleged by the Complainant. The hearing may continue from day to day until completed.

The parties shall submit to the Board four copies of all exhibits identified and offered into the record. Additional copies for opposing counsel shall also be provided.

DATED: Honolulu, Hawaii, April 19, 2006.

HAWAII LABOR RELATIONS BOARD


BRIAN K. NAKAMURA, Chair


EMORY J. SPRINGER, Member

Copies sent to:

Charles K.Y. Khim, Esq.
Gary Hynds, Esq.
Joyce Najita, IRC