

STATE OF HAWAII  
HAWAII LABOR RELATIONS BOARD

In the Matter of

HAWAII FIRE FIGHTERS ASSOCIATION,  
IAFF, LOCAL 1463, AFL-CIO,

Petitioner,

and

LINDA LINGLE, Governor, State of Hawaii  
and CIVIL SERVICE COMMISSION, City  
and County of Honolulu,

Intervenors.

CASE NO. DR-11-96

ORDER NO. 2496

ORDER GRANTING LINDA LINGLE  
AND CIVIL SERVICE COMMISSION'S  
PETITIONS FOR INTERVENTION; AND  
NOTICE OF HEARING ON JAMES  
ARCIERO, ET AL.'S PETITION FOR  
INTERVENTION AND HFFA'S MOTION  
TO DISMISS OR DENY PETITION TO  
INTERVENE

ORDER GRANTING LINDA LINGLE AND CIVIL SERVICE  
COMMISSION'S PETITIONS FOR INTERVENTION; AND NOTICE OF  
HEARING ON JAMES ARCIERO, ET AL.'S PETITION FOR INTERVENTION  
AND HFFA'S MOTION TO DISMISS OR DENY PETITION TO INTERVENE

On March 24, 2008, LINDA LINGLE (LINGLE), Governor, State of Hawaii, by and through her counsel, filed a Petition for Intervention with the Hawaii Labor Relations Board (Board) in this matter. On March 25, 2008, the CIVIL SERVICE COMMISSION (COMMISSION), City and County of Honolulu, by and through its counsel, also filed a Petition for Intervention in this matter.

On March 31, 2008, the Board conducted a conference in this matter attended by Peter Liholiho Trask, Esq., for Petitioner HAWAII FIRE FIGHTERS ASSOCIATION, AFSCME, LOCAL 1463, AFL-CIO (HFFA); James E. Halvorson, Deputy Attorney General, for LINGLE and Richard H. Thomason, for the COMMISSION. Based on the record and in the absence of objection, the Board found that LINGLE and the COMMISSION had alleged sufficient interests to intervene in this case and accordingly, granted their respective Petitions for Intervention pursuant to Hawaii Administrative Rules (HAR) §§ 12-42-8(g)(14) and 12-42-9(e). At the conference, the Board also set **April 30, 2008** as the deadline to file any motions and/or memoranda in response to the HFFA's Memorandum of Points and Authorities in Support of Petition for Declaratory Ruling filed on March 11, 2008; **May 12, 2008** as the deadline for the HFFA's response; and scheduled a hearing on **May 20, 2008** at 9:00 a.m. in the Board's hearing room, Room 434, 830 Punchbowl Street, Honolulu, Hawaii.

On April 1, 2008, James Arciero, Lionel Camara, Jr., Adam H. Enos, Jr., Peter Gaskell, William K. Kaai, Jr., Hiram K. Keliipio, Scott Lawton, Paul Loughran, James K. Perkins, Nathan Ramos, Jr., Ronald Rico, James Skellington, and Edmund Suzuki (Battalion Chiefs), by and through their counsel, filed a Petition for Intervention with the Board. The Battalion Chiefs allege, inter alia, that they have the right to intervene in these proceedings because the instant petition concerns their subpoenas issued by the Commission.

On April 7, 2008, the HFFA filed a Motion to Dismiss and Deny Battalion Chief's Petition to Intervene Filed on April 1, 2008 contending that the Petition to Intervene is untimely; not reasonably pertinent to the issues already presented and would unnecessarily broaden the scope of the proceeding; and the Battalion Chiefs lack standing to intervene.

NOTICE IS HEREBY GIVEN that the Board, pursuant to HRS §§ 89-5(i)(3), and 89-5(i)(5) and HAR § 12-42-8(g), will conduct a hearing on the Battalion Chiefs' Petition for Intervention, filed on April 1, 2008 and HFFA/IAFF's Motion to Dismiss or Deny Battalion Chief's Petition to Intervene Filed on April 1, 2008, filed on April 7, 2008. on **April 17, 2008 at 9:00 a.m.** in the above-referenced hearing room.

DATED: Honolulu, Hawaii, April 8, 2008.

HAWAII LABOR RELATIONS BOARD

  
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JAMES B. NICHOLSON, Chair

  
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EMORY J. SPRINGER, Member

  
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SARAH R. HIRAKAMI, Member

Copies sent to:

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Jeffrey A. Keating, Deputy Attorney General  
Margery S. Bronster, Esq.