

STATE OF HAWAII

HAWAII LABOR RELATIONS BOARD

In the Matter of

SHELLFORD CANTAN,

Complainant,

and

DEPARTMENT OF ENVIRONMENTAL  
MANAGEMENT, Solid Waste Division,  
County of Hawaii; MARGARET ALMADA,  
Personnel Management Specialist;  
Department of Environmental Management,  
County of Hawaii; BOBBY GONSALVES,  
Solid Waste Superintendent, Solid Waste  
Division, Department of Environmental  
Management, County of Hawaii; MICHAEL  
DWORSKY, Solid Waste Division Chief,  
Solid Waste Division, Department of  
Environmental Management, County of  
Hawaii; MICHAEL DENIZ, Solid Waste  
Supervisor, Kona Baseyard, Solid Waste  
Division, Department of Environmental  
Management, County of Hawaii; BOBBY  
JEAN LEITHEAD TODD, Deputy Director,  
Department of Environmental Management,  
County of Hawaii; and LONO TYSON,  
Director, Department of Environmental  
Management, County of Hawaii,

Respondents.

CASE NO. CE-01-698

ORDER NO. 2569

ORDER CONSOLIDATING CASES  
FOR DISPOSITION; AND NOTICE TO  
RESPONDENTS OF PROHIBITED  
PRACTICE COMPLAINTS

In the Matter of

SHELLFORD CANTAN,

Complainant,

and

UNITED PUBLIC WORKERS, AFSCME,  
LOCAL 646, AFL-CIO and JUNE  
RABAGO, Division Director, United Public  
Workers, AFSCME, Local 646, AFL-CIO,

Respondents.

CASE NO. CU-01-272

ORDER CONSOLIDATING CASES FOR DISPOSITION; AND  
NOTICE TO RESPONDENTS OF PROHIBITED PRACTICE COMPLAINTS

On January 20, 2009, Complainant SHELLFORD CANTAN (CANTAN), pro se, filed a Prohibited Practice Complaint against Respondents DEPARTMENT OF ENVIRONMENTAL MANAGEMENT, County of Hawaii; MARGARET ALMADA, Personnel Management Specialist; Department of Environmental Management, County of Hawaii; BOBBY GONSALVES, Solid Waste Superintendent, Solid Waste Division, Department of Environmental Management, County of Hawaii; MICHAEL DWORSKY, Solid Waste Division Chief, Solid Waste Division, Department of Environmental Management, County of Hawaii; MICHAEL DENIZ, Solid Waste Supervisor, Kona Baseyard, Solid Waste Division, Department of Environmental Management, County of Hawaii; BOBBY JEAN LEITHEAD TODD, Deputy Director, Department of Environmental Management, County of Hawaii; and LONO TYSON, Director, Department of Environmental Management, County of Hawaii, with the Hawaii Labor Relations Board (Board) in Case No. CE-01-698. CANTAN alleged, inter alia, that he filed a workplace violence complaint; has been harassed at work, was denied an investigation report; and suspended.

Also on January 20, 2009, CANTAN filed a Prohibited Practice Complaint against JUNE RABAGO and the UNITED PUBLIC WORKERS in Case No. CU-01-272. CANTAN alleged, inter alia, that he requested but was denied, an investigation report during a July 25, 2008 meeting.

After reviewing these complaints, the Board finds that the complaints are supported by similar documentation and involve substantially the same parties and issues and that consolidation of the proceedings would be conducive to the proper dispatch of business and the ends of justice and will not unduly delay the proceedings. Pursuant to Hawaii Administrative Rules (HAR) §12-42-8(g)(13), the Board, on its own initiative, hereby consolidates these complaints and the proceedings thereon for disposition.

**Notice to Respondents**

NOTICE IS HEREBY GIVEN that CANTAN filed prohibited practice complaints with the Hawaii Labor Relations Board (Board), a copy of which is attached, alleging that you have engaged in or are engaging in prohibited practices in violation of Hawaii Revised Statutes § 89-13.

YOU ARE DIRECTED to file with this Board the original and five (5) copies of your answer, with proof of service upon Complainant, no later than 4:30 p.m. of the tenth day after service of the complaint. If you fail to timely file and serve an answer, such failure may constitute an admission of the material facts alleged in the complaint and a waiver of a hearing.

SHELLFORD CANTAN, v. DEPARTMENT OF ENVIRONMENTAL MANAGEMENT, et al.  
CASE NO. CE-01-698  
SHELLFORD CANTAN v. UNITED PUBLIC WORKERS, AFSCME, LOCAL 646, AFL-CIO  
CASE NO. CU-01-272  
ORDER NO. 2569  
ORDER CONSOLIDATING CASES FOR DISPOSITION; AND NOTICE TO RESPONDENTS  
OF PROHIBITED PRACTICE COMPLAINTS

DATED: Honolulu, Hawaii, January 22, 2009.

HAWAII LABOR RELATIONS BOARD

  
\_\_\_\_\_  
JAMES B. MICHOLSON, Chair

  
\_\_\_\_\_  
SARAH R. HIRAKAMI, Member

Copies sent to:

Shellford Cantan  
Department of Environmental Management  
Margaret Almada  
Bobby Gonsalves  
Michael Dworsky  
Michael Deniz  
Bobby Jean Leithead Todd  
Lono Tyson  
Lincoln S. T. Ashida, Corporation Counsel  
United Public Workers  
June Rabago, UPW

ED 20 Jan. 20 09

3:20 P.M

HAWAII LABOR RELATIONS BOARD  
STATE OF HAWAII



STATE OF HAWAII  
HAWAII LABOR RELATIONS BOARD *N. Emtu*

Princess Keelikolani Building, 830 Punchbowl Street, Room 434, Honolulu, Hawaii 96813

HLRB-4 PROHIBITED PRACTICE COMPLAINT

Case No. UE 01-698

File the original and five copies of this Complaint, by U.S. Mail or in person, to the Hawaii Labor Relations Board, Princess Keelikolani Building, 830 Punchbowl Street, Room 434, Honolulu, Hawaii 96813. If more space is required for any item, attach additional sheets, numbering each item accordingly.

1. The Complainant alleges that the following circumstances exist and requests that the Hawaii Labor Relations Board proceed pursuant to Hawaii Revised Statutes Sections 89-13 and 89-14, and its Administrative Rules, to determine whether there has been any violation of the Hawaii Revised Statutes, Chapter 89.

2. Complainant

(a) Name, address and telephone number.

*SHELLEFORD CANTAN  
P.O. BOX 212 PAHALA  
HAWAII 96777*

*DAUGHTER # 982-8082 (MESSAGE ONLY)  
CELL # 896-7995*

(b) Name, address and telephone number of the principal representative, if any, to whom correspondence is to be directed.

HLRB-4 PROHIBITED PRACTICE COMPLAINT

3. Respondent (Public Employer and/or Employee Organization or its Agents Against Whom Complaint is Filed)

(a) Name, address and telephone number. *County of Hawaii ENVIRONMENTAL MANAGEMENT*  
*SOLID WASTE DIVISION*  
*MARGARET ALMADA PER, MNB. specialist # 961-8361*  
*BOBBY GONCALVES S/W Supt. # 961-8514*  
*MIKE DROSKY, S/W ENGINEER # 327-3507*  
*MIKE DENIZ, S/W Supt. # 327-3507*

(b) Name, address and telephone number of the principal representative, if any, to whom correspondence is to be directed.  
*BOBBY JEAN LEITHROD Todd Director / Deputy Director*  
*Lono Tysin Director*

4. Indicate the appropriate bargaining unit(s) of employee(s) involved.

*SHELLHARD CONTRACT*

5. Allegations

The Complainant alleges that the above-named respondent(s) has (have) engaged in or is (are) engaging in a prohibited practice or practices within the meaning of the Hawaii Revised Statutes, Section 89-13. (Specify in detail the particular alleged violation, including the subsection or subsections of the Hawaii Revised Statutes, Section 89-13, alleged to have been violated, together with a complete statement of the facts supporting the complaint, including specific facts as to names, dates, times, and places involved in the acts alleged to be improper.)

*1/25/08 1st grievance I explain to Margaret & Nelson investigator, was partial. & MIKE WAS QUOTED AS SAY THE MORE YOU SAY THE HARDER IT COMES BACK. MIKE ALSO DROVE WITNESSES TO AN FROTH INVESTIGATOR 89-13 #1 #2 89-9 #5 89-11 #5 I requested copy by Vic Vierra investigator. NO copy was ever given to me, I could not defend my self fairly*

HLRB-4 PROHIBITED PRACTICE COMPLAINT

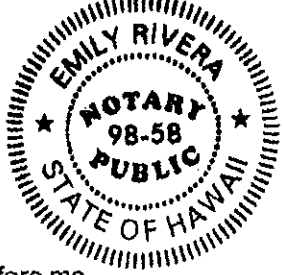
Page 3 of 3

6. Provide a clear and concise statement of any other relevant facts.

I HAVE ALWAYS GONE TO CHIEF OF COMMAND & PAPER TAIL OF ME WANTING HELP. IN THE END MY WHISTLE BLOWING GOT ME SUSPENDED. I ADDING LETTER HEAD #11 #22 #33 #44 #55 (SEE ATTACHED)  
ADDITIONAL PAGES # OF DATE & TIME OCCURRED #2, 3, 4, 5, 6, 7, 8, 9 (SEE ATTACHED)

STATE OF HAWAII )  
CITY AND COUNTY OF ) ss.

Shellford Cantan, being first duly sworn on oath, deposes and says: that he is the Petitioner above named, or \_\_\_\_\_ representative, and that he has read the above Petition consisting of this and 5 additional page(s), and is familiar with the facts alleged therein, which facts are he knows to be true, except as to those matters alleged on information and belief, which matters he believes to be true.



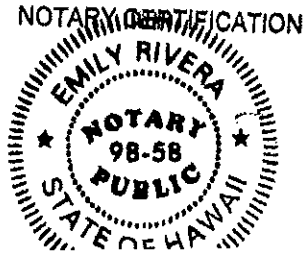
Shellford Cantan  
(Signature)  
TSA  
(Title)

Subscribed and sworn to before me this 15 day of January, 2009.

Emily Rivera  
Notary Public, Third Circuit  
State of Hawaii

My Commission expires: 1-28-2010

Doc. Date: 1-15-09 # Pages: 8/16  
Name: Emily Rivera Third Circuit  
Doc. Description: HLRB-4 Prohibited Practice Complaint  
Emily Rivera 1-15-09  
Signature Date



#11

DEAR GENTLEMAN/MADAM

ON OR ABOUT JULY 22, 2005 AFTER WORKING IN HILO 1 1/2 yrs. I TRANSFERED TO KONA FOR A PERMANENT POSITION (EMV SOLID WASTE DIVISION). FROM MID. 2005-2006 I OBSERVED I GOT TOTALLY OVERWHELMED BY UNETHICAL OR EVEN ILLEGAL PRACTICES?. DRINKING ALCOHOL ON COUNTY PREMISES, SCAVENGING CARS, SELLING SCAVENGED CAR OR PARTS, FAVORITISM, & INTIMIDATED TO DO WORK BEYOND OUR JOB DESCRIPTION & ALSO USE OF COUNTY BACK TRUCK & VEHICLE FOR PERSONAL USE.

IN THE BEGINNING I WENT WITH THE FLOW CAUSE NOBODY TOLD HIM NO. GUY IMAI E03 CO WORK REVEALED TO MIKE THAT I COULD WELD. 8/2/05 WELD TRAILER CRANK HANDLE. 8/17/05 CALLED JUNE UPON, 8/22/05 CALLED JUNE AGAIN, 9/12/05 CALLED BOBBY BONSTE. 9/14 Supt. 10/20/05 CALLED BOBBY G. Supt SPW BERT #2 WELDING HIS RESPONSE. WE NOT SUPPOSE TO WELD SO I TOLD HIM TO TELL MIKE. BERT DIDN'T REVEAL MY IDENTITY. 12/15 - 12/20 2005 WE HAD A CHRISTMAS PARTY STARTED AT BASE YARD, WITNESS HARRY JOSE, GUY IMAI PARTS MOVE ON TO KONA BOWL. JAN 06 1<sup>ST</sup> WEEK DON'T KNOW EXACT DATE, PRESENT HARRY JOSE, GRAN LORRA GUY IMAI, GERALD AGUIAR, CHAD PUNG CAME FROM MAKA OI. HE ALSO WITNESS DRINKING. MIKE HIMSELF WAS ALWAYS PRESENT I OK'D THIS DRINKING PARTY CAUSE HE'S THE BOSS I ALSO PARTICIPATED IN ALL DRINKING EVENTS. ON OR ABOUT ENDING OF 2006 MIKE USE COUNTY VEHICLE TO PICK ME UP IN KONA TO GO TO HAWAII WARMING (JUSTIN SMITH HILO) HID HIS FLUP AT SCOTTY EMBERMATE HOME. AS I TOLD BOBBY G. Supt. WHAT WAS GOING ON. IT SOME HOW WENT BACK TO MIKE WHICH THEN MY DAY WARE STARTED. ENDING OF 2006-2007. UNTIL I HAD NO CHOICE BUT TO LEAVE KONA.

# #22

- 3/21/07 meeting w/ BOBBY Gonsalves s/w Supt.,  
MIKE DENIZ Kona s/w Sup., STEVEN Kalilikane,  
CHIEF STEWARD, & MY SELF (sheffed Contm.  
outcome - nothing resolved.
- 4/13/07 Filed Harassment Papers. To  
Margaret Almada. Human Resource Specialist.  
outcome - swept under the rug.
- 4/20/07 MEETING Margaret ALMADA H.R. spec.  
MIKE DORSKY CHIEF ENGINEER, BOBBY Gonsalves  
s/w Supt. STEVEN KALILIKANE CHIEF STEWARD.  
& MY SELF. WE explain to Board about  
MIKE DENIZ Demearing att & vengful attitude  
makes our moral low.
- 9/24/07 Filed work place violence incident 9/8/07  
MIKE yelling at me to go home IF I  
WAS stress. I called BOBBY & Supt I want them  
outcome - swept under the rug.
- 9/25/07 MEETING to Margaret ALMADA H.R.S., MIKE DORSKY  
Chief Eng., BOBBY Gonsalves. s/w Supt., ~~STEVEN KALILIKANE~~ JUNE Rabago. & PW  
& MY SELF, MIKE DENIZ K. s/w Sup.  
outcome Nothing resolved
- 10/5/07 MEETING w/ Margaret ALMADA & MY SELF  
I tried explaining to her exactly how Mike attitude  
to us that if you say that he doesn't like. He's  
Demearing, Loud, & Revenful 9/25/07 everyone.  
was putting input & they all miss the point I was  
making.



11/6/07 MEETING w/ Margaret ALMADA H.R.S., MIKE DORSKY  
 CHIEF ENG., BOBBY GONSALVES Spw Supt. JUNE RABGO  
 UPW B.A, & MYSELF

MID 2007 - I MADE CALL TO CHARMAINE KAMAKA  
 (DON'T KNOW SAFETY COORDINATOR. FOR COUNTY OF HAWAII I EXPLAINED  
 EXACT DATE. TO HER ABOUT HARASSMENT. IF IT CAN LEAD TO  
 NOTE PUT IN WORK PLACE. VIOLENCE. THERE NO STRAIGHT ANSWER.  
 ORDER HER ADVISE MAYBE I SHOULD FIND ANOTHER JOB.

MID 2007 - I CALLED TERI SPINOLA CAMPBELL #961-8361  
 HARASSMENT EDUCATOR. - I TOLD HER WHAT WAS  
 GOING ON w/ MY BOSS & MYSELF. COULDN'T  
 GIVE ME A STRAIGHT ANSWER.

9/5/07 I WANT IN TO EAP. SEE DR. DON LUPENIA  
 I NEEDED COUNSELING I ALSO CALLED MARGARET  
 TO FOLLOW UP ON WORK PLACE VIOLENCE.

NOTHING WAS DONE

2/29/08 WROTE LETTER TO BOBBY GONSALVES.

3/6/08 MARGARET ALMADA WRITE.

44

DATE: FEBRUARY 29, 2008  
TO: BOBBY GONSALVES, SOLID WASTE SUPERINTENDENT  
FROM: SHELLFORD CANTAN  
SUBJECT: WORK PLACE VIOLENCE REPORT FILED

Aloha Bobby,

I have tried numerous times to call you back at your office and left numerous messages. We seem to be missing each other. I previous left a message to you explaining that my cell phone was not working properly. I lost your cell phone number on my cell directory and was not able to call you after hours, and now I'll be writing to you as a communication alternative.

In the past I had expressed to you verbally about scavenging, drinking at the base yard, welding, and the accident of Mike's vehicle after a night of drinking with the boys and selling of scavenging materials. It became so bad when Mike found out that that I had filed a complaint 1<sup>st</sup> on or about 8/31/07, and since that time his pressure on me increased and has been harassing me. While I was compacting Mike would turn the unit off and also keep me by myself to work in Kailua to take care of all the containers and still be washing the trailers.

On 9/24/07, I filed a work place violence and so far I've had 3 meetings with management (Mike Dorsky, Margaret Almada and yourself), and none of these meetings seems to address my complaint. Since then Mike has been playing some of the boys against me and this has become a problem at work especially with EO3 Donald and TSA Paul. My question is don't I get some kind of protection on this unreasonable harassment that seem to lead to work place violence (whistle blower). Mike seems to be defiant because he's still driving equipment and welding. Is there a deadline on the papers I filed or do I need to re-file. The longer this goes on all evidence or witnesses will be lost or forgotten. Please respond ASAP.

Mahalo,

Shellford Cantan

CC: Bobby Jean Leithead-Todd, Director  
Mike Dorsky, Chief Engineer  
Margaret Almada, Human Resources  
Terri Spinola-Campbell, Harassment Educator

Filed:



#2

Harassment

1/29/07 Mike told me to take 1992 an go monkey (usually 2 work  
will, Derrick, Gerald ALL Kaitum,

11/30/07 6:15 am Mike's questioning me about Keatron container I  
told him verbally but he wanted me to mark it in  
the Board. He brought up about time sheet an threaten  
me about writing me up insubordinate. 7:00 am I  
told him where is my assignment he said he wasn't  
ready yet (6:45 am is our start day) all co workers present

called upon

2/20/07 I called Jane. Said Mike I feel is harassing me.

unethical

2/28/07 Mike drove tractor trailer w/ Kevin to change Keatron trailer.  
Bert & Stan L. @ - Haul PAM For Back Hoe, Bert remove.  
Hyd. Tank 1999, Roy adjust clutch. on Steven tractor.

Spoke to  
Matt

3/2/07 I spoke to Bobby @. in Person. told him about problems  
in Kona said he'll be coming out when the  
excavation of Silver Field is done.

Harassment

3/12/07 12:00 pm up Keatron while I was having lunch Mike started  
questioning me about Keel Gate. I told him I don't know  
of any broken gate. he got agitated so I told him  
I'm on my lunch break.

Harassment

3/14/07 on OK about 3:50 pm after painting most of the day I  
came down from stairs to take a break with Eoz  
Mike. came up to me to ask if I was done  
painting stairs I said no he started to get agitated  
I tried calling Jane upon she was in Honolulu I got  
stress out of get push out of work 4:00 pm took 1.5  
week. Mike went of telling me if I also tomorrow off

whistle  
blow

3/15/07 spoke to Charles white ~~stater~~ Oshpa. Because Mike was making us used unsafe ladder to do welding of mechanic work. And Bobby G. spw supt. of June 1994 agent did nothing for over a yr. I called ~~stater~~ <sup>Oshpa</sup> they told me to write a formal complaint

\* 9:05 AM June called me said she'll talk to Mike & Bobby about welding of mechanic work she said she'll also send a memo to Nelson Ho Deputy Director

3/16/07 I spoke to Bobby in person told him about Mike attitude I also told him I want home the early side. I told Bobby <sup>MIKE</sup> he kept keep repeating what sick stress you like stay home thurs. to. I told Bobby he kept going on. (in a loud manner.) Steven, Paul, But witness I started to tell him more clearly what was happen. in Kona drinking, scavenging, getting scavage part etc.

3/19/07

Harassment

I could see that Mike wasn't in a good mood from start Mike kept me Kailua, brought in 3 trailers, which I had to wash inside & outside (not the ordinary) while taking care Kailua #1, #2, & #3 trailer. By compacting 9:20 AM while pushing Kailua #1 he told Paul Travino to turn off unit while I was compacting. Mary Jane security was witness she was confused.

Harassment

— Because I was the only one in Kailua I took lunch break. About 11:51 went to Costco came back 12:43 He was waiting for me said I want to lunch to early 11:45 - 12:30

2:00 pm while sampling trailer inside. Mike comes by said I should be finished. By now I'm a little fast tired. so my response, want do it yourself.

44

Harassment

3/19/07 Around 4:20 pm I proceed to do what I've always did in Hilo & Kona Last Compact 4:30 pm. He shut the unit down when I was compacting Hilo #3, Steven, Bert, ~~Paul~~ Fred, was all present Fred actually started laughing. Mike wanted me to pick loose paper first (NOTE That day Mike sent 5 care takers up Maunaloa & 2 EOs so no body would help me

Childish  
Attitude.  
3/20/07

I was late to work I called Bobby G. About 5:20 AM told him I was late. I also called Kona Base. Left message. I arrive 7:07 am Mike was across our base yard. I went across & told him I needed a glove. his response 1 job at a time. I told him I'll wait by the room he came by let ~~off~~ an started to call me deaf ear I ignored him. He told me to stay in Kailua & Finish Paint the stairway

Harassment

On or about 11:17 J. Andrade, was going to Kailua to some to get a soda when Mike seen me glance at my watch. He went up to J. Andrade. Said something to him the J. Andrade. proceed to re secure his play Mike to Johnny A. to Tessoro. to get his soda. They return 11:38 went straight to Lunch room to have Lunch

★  
w/ 1st meeting  
supt.

3/21/07 Bobby G. came talk to us about Lunch. 11:45-12:30 But Bobby said we have verbal agreement Because we have 2 15 min. Break. AM & PM. we use 1 15 min Break. AM for Lunch. 11:30 - 12:30 I told Bobby that now I've been eating lunch, except for some occasion. that I was too busy I took 2nd Lunch

HS

Rule

Mediator

3/21/07

I ask Bobby in front all coworkers. Was scavenging <sup>tenly</sup> for Blue Collars. Bobby said no applies to all county workers. Blue & white collars. Then brought up other future plans. Then we convene into a more private meeting Bobby G, Steven, Chief Steward, Mike D. Sup. & my self. He went off telling Bobby I took to long in painting stairway, I wasn't doing my job right & I was the degresser. Shouting it on the ground. when I responded I told Bobby when I first came here. I'll know I do the same routine. rather ~~rather~~ make or callum if I wasn't doing it right why Mike didn't tell me what I was doing wrong. I told Mike what was I doing wrong. He said Wasting degressor. I told Bobby that what I was thought

Harass

4/4/07

7<sup>10</sup> am white pushing unit Mike. turn off unit I called Bobby G. told him Mike is accusing me of not compacting. Mary Jane Security was witness. 11<sup>10</sup> am Jonny A. came in w/ empty trailer put trailer under chute #3 I was just done pushing #1 going to the to push Mike turn unit off.

4/9/07

I called Bobby G. 7<sup>30</sup> am told him things need improve.

4/10/07

I ask Mike for more time sheet he gave Neg. answer. (I thought they gave you.) I walk away. By now Mike was lying so much. I try to get a witness or call a jet Bobby G. know.

40

unethical  
& illegal?

10/13/2006 He was demanding us to take in recycles I told Mike that we're still working & I didn't have a pick up. He turns to John Yemabe (what no can your truck!) I told Mike will was off so he was gonna do it. He called will ~~before~~ Aurore will was still at home. So Mike pss at me. (note I gave John name & will to confirm).

harassment  
AM

1/10/07 6:15 AM Mike refused my emergency vacation on 1/9/07 had broken water line, showed me contract book that it had to be OK by him I told him I'd check with Jane upon Reg. She was on vac spoke to Alton said he was correct I told Alton Pass practice. I ask Mike IF He just wanted to go by the book? or He said go by the book.

Run  
around  
PM

1/10/07 Mike came up to Kenyon I told him I called UPW & Mike you are correct so I'll take sick leave. on 1/9/07 I also told him I have a puka in my boots He told me to see Bobby.

Harassment

1/17/07 6:30 Mike pressing me for my signatures on blank time sheet or unfinished time sheet I told him I wasn't gonna sign until complete I told him I'm working with Bobby G. Supt. He kept repeating him self. So I ignored him started calling me DEAF EAR. So he called Bobby. while I was spkng. to Bobby G. Mike started ranting & raving until I couldn't hear Bobby witness Steven Kabilikame, Bart K, there were others But I can't remember

Favoritism

1/24/07 call out PT Gerald Aguilar I believe. Should have been me



47

child's  
a H. H. H.

4/14/07 12<sup>16</sup> pm Mike ask me if I wanted to work on 4/14/07  
I told him if I could tell him tomorrow He said no  
So I decline. 2<sup>30</sup> pm Mike called Gerald wanted to meet  
us. Had something for me to sign. I met Mike Capt.  
Cook I went up to his place he showed me a  
time I headed in almost 4 weeks ago it only needed  
his signature. I told him he could keep that one.  
I needed new one he was just trying to annoy  
me

Prayer  
answer

4/14/07 3<sup>41</sup> pm Bobby G. called told me to go straight to  
his office. ~~at~~ 4/20/07. meeting

Concerns

4/20/07 meeting with Margaret Almadia - Human Resource Spcl.,  
Mike Dorsky Chief Engineer, Bobby Gonzales s/w Supt.  
STEVEN Kalilikane. Chief Steward. I told the Board  
that Mike was make Morale Low because of his  
out burst in front everybody He don't pull you on  
the side & talk to you he try to embarrass & ~~make~~  
Ridicule you. I told them most of the things  
happening at the Kona Base yard they were totally  
surprise & wasn't ready for what I was telling  
them so I gave names so that they could ~~investigate~~  
investigate or confirm my story. But I also told  
the Board you must speak to the witness on  
the side with out Mike knowing or He will  
retaliate before we closed Margaret said the  
what ever was said in this meeting will not be  
spoken of 4/22/07 gentleman who works in  
Margaret office ~~spoke~~ told me in so many words  
to back off from Mike. I called Margaret 4/23/07  
won to let her know that somebody in her office  
got some kind of story (Kona Base)

Placing  
GAMES

4/30/07

Called Bobby G. Told him Mike <sup>still</sup> didn't give me any time sheet. I ask Mike twice ONCE in front of Bobby and the other during a meeting with Dorsky

child's play.

5/2/07

Called Mike Dorsky again Left message told him I still didn't fill out 4/30/07 and it's already May. Then I called Bobby to tell him I still didn't get time sheet from Mike. Bobby & I discuss Mike Attitude I told Bobby he's not forgiving. Then I called June to see if Bob By & herself can come to Kona Base to talk to the Boy to see what's going on.

5/7/07

6<sup>45</sup> AM Mike served me papers of an authorized CTO I called Bobby G. to explain to Bobby again he knows situation. He OK it.

5/14/07.

6<sup>55</sup> AM called us back into office He talked about Fuck-en concern (He's piss off) on ladder & climbing on trailer chairman Kamake. Safety personal. Hilo. gave orders.

5/15/07

About 8<sup>40</sup> AM Reggie & I was cleaning behind pump station lots of scavenge items 7 Bags of Can, A Boat Canopy, Bikes, TIRES, Transmission, <sup>Began</sup> I taking pictures when Mike came behind swearing away Telling Reg & I to throw this Fuck-en things away Reg & I loaded up everything. I went to use Restriom came & Mike unloaded Boat Canopy.

#9  
FANOTISM  
COVER UP

1/14/08 Channing & I noticed on the South side fence there was a huge opening like a tractor & trailer went thru. Then a person Tony Louis confirm that one of outrails, went thru the fence. He witness Mike driving tractor, pulling Backhoe to pull tractor trailer out.

1/18/08 Mike welding trailer.

1/25/08 7<sup>15</sup> AM I called Bibby Co., Mike Dorsky, Nelson Ho & Chip Iwaine left message to all that Mike is still welding & driving plow left message to all except Nelson He answered phone I told him what was going on

By N. Emin



STATE OF HAWAII  
HAWAII LABOR RELATIONS BOARD

Princess Keelikolani Building, 830 Punchbowl Street, Room 434, Honolulu, Hawaii 96813

HLRB-4 PROHIBITED PRACTICE COMPLAINT

Case No. LU-01-272

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2. Complainant

(a) Name, address and telephone number.

*SHELLFORD CANTAN*  
*P.O. BOX 212 PAHALA*  
*HAWAII 96777*  
*DAUGHTER # 982-8082 (MESSAGE ONLY)*  
*CELL # 896-7995*

(b) Name, address and telephone number of the principal representative, if any, to whom correspondence is to be directed.

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Page 2 of 3

3. Respondent (Public Employer and/or Employee Organization or its Agents Against Whom Complaint is Filed)

(a) Name, address and telephone number.

JUNE RABAO - DIVISION DIRECTOR PH.# (808) 961-3424  
UPW BARGAINING UNIT I  
362 EAST LANIKULA ST.  
HILO HAWAII 96720-4336

(b) Name, address and telephone number of the principal representative, if any, to whom correspondence is to be directed.

DAYTON M. NAKANELUA - STATE DIRECTOR  
UPW AFSCME LOCAL 646 AFL-CIO  
1426 NORTH SCHOOL ST.  
HONOLULU, HAWAII 96817-1914  
PH.# (808) 847-2631

4. Indicate the appropriate bargaining unit(s) of employee(s) involved.

UPW BARGAINING UNIT I  
UPW AFSCME LOCAL 646 AFL-CIO

5. Allegations

The Complainant alleges that the above-named respondent(s) has (have) engaged in or is (are) engaging in a prohibited practice or practices within the meaning of the Hawaii Revised Statutes, Section 89-13. (Specify in detail the particular alleged violation, including the subsection or subsections of the Hawaii Revised Statutes, Section 89-13, alleged to have been violated, together with a complete statement of the facts supporting the complaint, including specific facts as to names, dates, times, and places involved in the acts alleged to be improper.)

7/25/06 MEETING I WAS DENIED COPY OF INVESTIGATOR REPORT  
THERE WAS AN INVESTIGATION SUMMARY OF MY SELF (SHELLFORD  
CANTAN) ACCUSATION THAT WAS ALL HEAR SAY I DID NOT  
HAVE A CHANCE TO REBUTE ANY ACCUSATION. MY REPRESENT-  
ATIVE & ADMIN. DID NOT RESPOND TO ANY OF MY QUESTION.  
SUMMARY OF ISSUES CONTAIN ACCUSATION. NO DATE & TIME  
ALL HEAR SAY. 89-11 #6 #7 1<sup>ST</sup> STEP.  
2<sup>ND</sup> STEP W/ NICK. SAME THING. I TOLD JUNE & NICK ALL  
ACCUSATION HEAR SAY & I WANTED A CHANCE FOR A REBUTTAL  
ON THE ACCUSER BUT NO DATES & TIME OF INCIDENT I'M ACCUSE OF.  
3<sup>RD</sup> STEP JUNE DENIED. 89-9 #5 89-11 #6 #8  
I REQUESTED COPY BY INVESTIGATOR JUNE SAID NO.

HLRB-4 PROHIBITED PRACTICE COMPLAINT

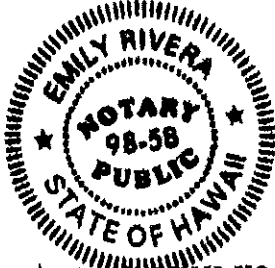
Page 3 of 3

6. Provide a clear and concise statement of any other relevant facts.

June Rabago was always contacted when I had a problem at Kina Base yard. She's familiar w/ on going case # 11 # 22 # 33 # 44 # 55 ALL included (See Attached)

STATE OF HAWAII }
CITY AND COUNTY OF Hawaii } ss.

Shellford Cantan, being first duly sworn on oath, deposes and says: that she is the Petitioner above named, or representative, and that she has read the above Petition consisting of this and 5 additional page(s), and is familiar with the facts alleged therein, which facts she knows to be true, except as to those matters alleged on information and belief, which matters she believes to be true.



Shellford Cantan (Signature)

TSA (Title)

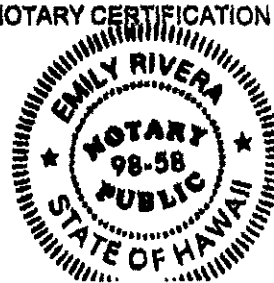
Subscribed and sworn to before me this 15 day of January, 2009.

Emily Rivera
Notary Public, Third Circuit
State of Hawaii

Doc. Date: 1-15-09 # Pages: 8
Name: Emily Rivera Third Circuit
Doc. Description: HLRB-4 Prohibited Practice Complaint
Emily Rivera 1-15-09
Signature Date

My Commission expires: 1-28-2010

Visit our Website at www.hawaii.gov/labor for ALL interactive and downloadable forms.





# 44

DATE: FEBRUARY 29, 2008  
TO: BOBBY GONSALVES, SOLID WASTE SUPERINTENDENT  
FROM: SHELLFORD CANTAN  
SUBJECT: WORK PLACE VIOLENCE REPORT FILED

Aloha Bobby,

I have tried numerous times to call you back at your office and left numerous messages. We seem to be missing each other. I previous left a message to you explaining that my cell phone was not working properly. I lost your cell phone number on my cell directory and was not able to call you after hours, and now I'll be writing to you as a communication alternative.

In the past I had expressed to you verbally about scavenging, drinking at the base yard, welding, and the accident of Mike's vehicle after a night of drinking with the boys and selling of scavenging materials. It became so bad when Mike found out that that I had filed a complaint 1<sup>st</sup> on or about 8/31/07, and since that time his pressure on me increased and has been harassing me. While I was compacting Mike would turn the unit off and also keep me by myself to work in Kailua to take care of all the containers and still be washing the trailers.

On 9/24/07, I filed a work place violence and so far I've had 3 meetings with management (Mike Dorsky, Margaret Almada and yourself), and none of these meetings seems to address my complaint. Since then Mike has been playing some of the boys against me and this has become a problem at work especially with EO3 Donald and TSA Paul. My question is don't I get some kind of protection on this unreasonable harassment that seem to lead to work place violence (whistle blower). Mike seems to be defiant because he's still driving equipment and welding. Is there a deadline on the papers I filed or do I need to re-file. The longer this goes on all evidence or witnesses will be lost or forgotten. Please respond ASAP.

Mahalo,

Shellford Cantan

CC: Bobby Jean Leithead-Todd, Director  
Mike Dorsky, Chief Engineer  
Margaret Almada, Human Resources  
Terri Spinola-Campbell, Harassment Educator

Filed:



#33

11/6/07 MEETING w/ Margaret ALMADA H.R.S., MIKE DORSKY  
CHIEF ENG., BOBBY GONSALVES Spw Supt. JUNE RAKAGO  
UPW B.A, & MYSELF

MID 2007 - I MADE call TO Charmaine Kamaka  
Safety Coordinator. For county of Hawaii I Explain  
Exact Date. to her about Harassment. FF it can lead to  
work place violence. there no straight answer.  
note not in order  
Her advise maybe I should find another Job.

MID 2007 - I called Teri SPINOLA CAMPBELL #961-8361  
Harassment Educator. - I told her what was  
going on w/ my Boss & my self. couldn't  
give me a straight answer.

9/5/07 I want IN to EAP. SEE DR. DON Lupenier  
I needed Counseling I also called Margaret  
to Follow up on work place violence.

NOTHING WAS DONE

2/29/08 wrote Letter to Bobby Gonsalve.

3/6/08 Margaret Almada Write.

# #22

3/21/07 meeting w/ BOBBY GONSALVES S/W Supt.,  
MIKE DENIZ KONA S/W SUP., STEVEN Kalilikane,  
CHIEF STEWARD, & MY SELF (shepherd Cantm.  
outcome - nothing resolved.

4/13/07 Filed Harassment Papers. TO  
Margaret Almada. Human Resource Specialist.  
outcome - swept under the rug.

4/20/07 MEETING Margaret ALMADA H.R. spect.  
MIKE DORSKY CHIEF ENGINEER, BOBBY GONSALVES  
S/W Supt. STEVEN KALILIKANE CHIEF STEWAR.  
& MY SELF. WE Explain to Board about  
MIKE DENIZ DEMEANING att & VengeFUL attitude  
makes our moral Low.

9/24/07 Filed work place violence incident 8/8/07  
MIKE yelling at me to go home IF I  
WAS stress. I called BOBBY G. Supt I want them  
outcome - swept under the rug.

9/25/07 MEETING to Margaret ALMADA H.R.S., MIKE DORSKY  
Chief Eng., BOBBY GONSALVES S/W Supt., <sup>JUNE RABAGO UPW</sup> ~~STEVE KALILIKANE~~  
& MY SELF, MIKE DENIZ K. S/W SUP.  
outcome Nothing resolved

10/5/07 MEETING w/ Margaret ALMADA & MY SELF  
I Tried Explaining to her exactly How Mike attitude  
to us that if you say that he doesn't like. He's  
DEMEANING, Loud, & REVENGEFUL 9/25/07 everyone.  
was putting input & they all miss the point I was  
making.

#11

DEAR GENTLEMAN/MADAM

ON OR ABOUT July 22, 2005 AFTER working in HILO 1 1/2 yrs. I TRANSFERED TO KONA for a permanent position (EMV Solid waste Division). From MID. 2005-2006 I observed & got totally over whelmed by unethical OR EVEN illegal practices?. Drinking alcohol on County premises, scavenging cars, SELLING Scaveng car or parts, Favouritism & Intimidated to do work beyond our job description & also use of County Back Hoe, & Vehicle for personal use.

In the Beginning I went with the Flow Cause No body told him NO. Guy Imai E03 Co work revealed to Mike that I could weld. 8/2/05 weld trailer crank handle. 8/17/05 called June upw, 8/22/05 called June again, 9/12/05 called Bobby G. Supt. 9/20/05 called Bobby G. Supt 3rd best & I welding his response. We not suppose to weld so I told him to tell Mike. But didn't reveal my identity. 12/15 - 12/20 2005 we had a christmas party started at Base yard, witness Harry Jose, Guy Imai party move on to Kona Bowl. Jan 06 1st week don't know exact date, present Harry Jose, grand man Guy Imai, Gerald Aquino, Chad Fung came from Maunaloa OT. He also witness drinking. Mike himself was always present & OK'd this drinking party cause he's the Boss & also participated in all drinking events. On or about Ending of 2006 Mike use County vehicle to pick me up in Kona to go to Hana. warning (Justin Smith HILO) hid his place at Scotty Embarate Home. As I told Bobby G. Supt. what was going on. It some how went back to Mike which than my Day Mare started. ending of 2006-2007. until I had no choice but to leave Kona.