

STATE OF HAWAII  
HAWAII LABOR RELATIONS BOARD

In the Matter of

UNITED PUBLIC WORKERS, AFSCME,  
LOCAL 646, AFL-CIO,

Complainant,

and

LINDA LINGLE, Governor, State of Hawaii;  
MARIE LADERTA, Director, Department of  
Human Resources Development, State of  
Hawaii; MUFI HANNEMANN, Mayor, City  
and County of Honolulu; CHARMAINE  
TAVARES, Mayor, County of Maui;  
BERNARD P. CARVALHO, Jr., Mayor,  
County of Kauai; WILLIAM KENOI, Mayor,  
County of Hawaii; THOMAS KELLER,  
Administrative Director, The Judiciary, State  
of Hawaii; and THOMAS M. DRISKILL, Jr.,  
President and Chief Executive Officer,  
Hawaii Health Systems Corporation,

Respondents.

CASE NOS.: CE-01-717a  
CE-10-717b

ORDER NO. 2650

ORDER GRANTING RESPONDENTS  
LINDA LINGLE, GOVERNOR, STATE  
OF HAWAII; MARIE LADERTA,  
DIRECTOR, DEPARTMENT OF  
HUMAN RESOURCES  
DEVELOPMENT, STATE OF  
HAWAII; THOMAS R. KELLER,  
ADMINISTRATIVE DIRECTOR OF  
THE COURTS, THE JUDICIARY,  
STATE OF HAWAII, AND  
THOMAS M. DRISKILL, JR.,  
PRESIDENT AND CHIEF  
EXECUTIVE OFFICER, HAWAII  
HEALTH SYSTEMS  
CORPORATION'S MOTION TO  
CONTINUE HEARING DATE

ORDER GRANTING RESPONDENTS LINDA LINGLE,  
GOVERNOR, STATE OF HAWAII; MARIE LADERTA, DIRECTOR,  
DEPARTMENT OF HUMAN RESOURCES DEVELOPMENT, STATE  
OF HAWAII; THOMAS R. KELLER, ADMINISTRATIVE DIRECTOR  
OF THE COURTS, THE JUDICIARY, STATE OF HAWAII, AND THOMAS M.  
DRISKILL, JR., PRESIDENT AND CHIEF EXECUTIVE OFFICER, HAWAII  
HEALTH SYSTEMS CORPORATION'S MOTION TO CONTINUE HEARING DATE

On October 13, 2009, Respondents LINDA LINGLE, Governor, State of Hawaii; MARIE LADERTA, Director, Department of Human Resources Development, State of Hawaii; THOMAS R. KELLER, Administrative Director of the Courts, the Judiciary, State of Hawaii, and THOMAS M. DRISKILL, JR., President and Chief Executive Officer, Hawaii Health Systems Corporation (collectively State Respondents), by and through their counsel, filed a Motion to Continue Hearing Date with the Board. State Respondents' counsel states in a Declaration attached to the motion, inter alia, that the Board set a hearing in this matter for October 20, 2009 in the event the parties' respective motions were denied; she wrote to the Board on September 23, 2009 requesting to continue the hearing date because of scheduling conflicts and no objections

were made by other parties; she contacted all attorneys for the County Respondents and they have no objection to the request for continuance; she contacted Complainant's counsel who, by fax dated October 13, 2009, objected to the request for continuance because he looked forward to a prompt ruling by the Board on the pending motion for interlocutory relief and cross motions for summary judgment and would review the situation based on the Board's rulings; that she agrees with Complainant's counsel's desire to have a ruling by the Board on the pending motions but she requested to continue the hearing if the Board decided to have a hearing on the merits; that she is currently drafting the post-hearing brief in the HGEA interest arbitration due the first week of November 2009; although her federal trial set for October 27, 2009 was continued, she is preparing for the upcoming interest arbitration for UPW Unit 10; and in the event the Board denies the respective motions or intends to hold a hearing on the merits of the case, she requests that the October 20, 2009 date be continued to a mutually agreeable date.

Based upon a review of the record, the arguments made by State Respondents' counsel, and Complainant's counsel's concerns, the Board finds good cause to continue the hearing on the merits presently scheduled on the October 20, 2009. In addition, as the Board has not as yet issued its rulings upon the pending dispositive motions in this matter, the issues remaining for hearing have not been clearly defined. The Board will continue to endeavor to promptly issue its rulings in this matter and schedule any further hearings accordingly.

DATED: Honolulu, Hawaii, October 14, 2009

HAWAII LABOR RELATIONS BOARD



JAMES B. NICHOLSON, Chair

  
EMORY J. SPRINGER, Member

  
SARAH R. HIRAKAMI, Member

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Richard B. Rost, Deputy Corporation Counsel

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Diane A. Noda, Deputy Corporation Counsel