

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  
and MARIE LADERTA, Director,  
Department of Human Resources  
Development, State of Hawaii,

Respondents.

CASE NOS.: CE-01-716a  
CE-10-716b  
(ON REMAND)

ORDER NO. 2708

ORDER GRANTING  
COMPLAINANT'S MOTION TO  
SCHEDULE PREHEARING  
CONFERENCE, DATED MAY 24, 2010;  
AND NOTICE OF PREHEARING  
CONFERENCE

ORDER GRANTING COMPLAINANT'S  
MOTION TO SCHEDULE PREHEARING CONFERENCE,  
DATED MAY 24, 2010; AND NOTICE OF PREHEARING CONFERENCE

In the appeal of Order No. 2653 in this matter in Civil No. 09-1-2711-11 (KKS), Judge Karl K. Sakamoto remanded the case to the Hawaii Labor Relations Board with the following instruction:

8. Based on the foregoing, Order No. 2653 is remanded to the Board for further agency proceedings to decide the following:

(a) Whether under H.R.S. §89-13(a)(1) there has been a prohibited practice in that Respondents committed an act which interfered, restrained or coerced employees in the exercise of their rights guaranteed under Chapter 89 and take such action as it deems necessary and proper under HRS §89-5(i)4); and

(b) Under HRS §377-9, the Board must determine if any civil penalty must be imposed and, pursuant to the Complainant UPW's request for costs and attorney's fees, it must determine if Respondents committed a prohibited practice and violated HRS §89-13(a)(1) in addition to any other prohibited practices and, in their discretion, determine whether or not there should be an award of attorney's fees and

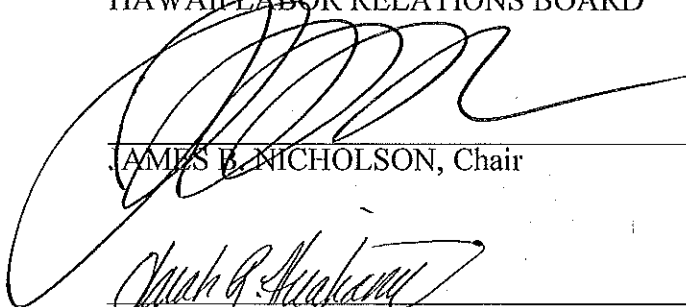
costs looking at the totality of circumstances available to it at that time.

On May 24, 2010, Complainant filed a Motion to Schedule Pre-hearing Conference and Hearing in this matter with the Board. There being no opposition to the instant motion, the Board hereby grants Complainant's motion and schedules a prehearing conference in this matter.

NOTICE IS HEREBY GIVEN that the Board will conduct a prehearing conference in this matter on **June 15, 2010 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 the issues, 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, and to schedule a hearing date in this matter. Counsel should bring their respective calendars to the conference.

DATED: Honolulu, Hawaii, June 3, 2010.

HAWAII LABOR RELATIONS BOARD



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JAMES B. NICHOLSON, Chair



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SARAH R. HIRAKAMI, Member



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NORMAN K. KATO II, Member

Copies sent to:

Herbert R. Takahashi, Esq.  
Julian T. White, Deputy Attorney General