

STATE OF HAWAII

HAWAII LABOR RELATIONS BOARD

In the Matter of

HAWAII STATE TEACHERS
ASSOCIATION,

Petitioner,

and

DEPARTMENT OF EDUCATION, State of
Hawaii,

Intervenor.

CASE NO. RA-05-238

ORDER NO. 2747

ORDER GRANTING PETITION FOR
INTERVENTION; NOTICE OF
HEARING, AND NOTICE OF
DEADLINES FOR WITNESS AND
EXHIBIT LISTS

ORDER GRANTING PETITION FOR INTERVENTION; NOTICE OF
HEARING, AND NOTICE OF DEADLINES FOR WITNESS AND EXHIBIT LISTS

On October 1, 2010, Petitioner HAWAII STATE TEACHERS ASSOCIATION (Petitioner or HSTA), filed the instant petition with the Hawaii Labor Relations Board (Board) requesting clarification that the employees of the Department of Education performing instructional, teaching, or support thereof, to the department's E-school are within bargaining unit (Unit) 05. The HSTA alleged that the Board of Education in amending Board Policy 4540, High School Graduation Requirements and Commencement Policy, expanded the use of E-School instructors and that not all instructors are included in Unit 05.

On October 7, 2010, the Board issued a Notice of Receipt of Petition for Clarification or Amendment of Appropriate Bargaining Unit; Notice of Deadline for Filing Petitions for Intervention setting October 20, 2010 as the deadline for interested parties to file Petitions for Intervention in these proceedings.

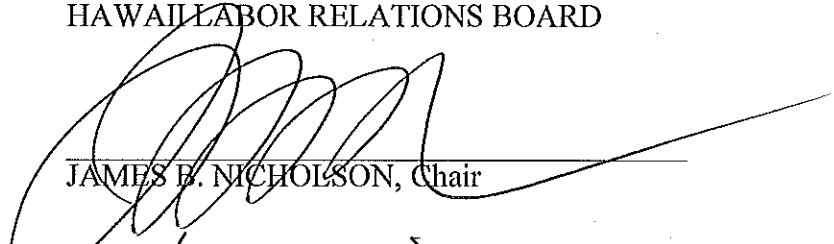
On October 20, 2010, the Department of Education (DOE), State of Hawaii filed a Petition for Intervention in this proceeding as the employer of the subject positions alleging that its rights in determining position allocations at schools in accordance with the Weighted Student Formula may be impacted by this proceeding.

Based on the foregoing, the Board finds that the DOE has alleged sufficient interest to intervene in this case. Accordingly, the Board grants the DOE's Petition for Intervention pursuant to Hawaii Administrative Rules (HAR) § 12-42-8(g)(14).

NOTICE IS HEREBY GIVEN that the Board, pursuant to Hawaii Revised Statutes (HRS) § 89-5(i)(1) and HAR § 12-42-8, will conduct a hearing on the instant petition on **January 26-27, 2011 at 9:00 a.m.** in the Board's hearing room, Room 434, 830 Punchbowl Street, Honolulu, Hawaii. In addition, the deadline for the parties to file and exchange final witness lists is **January 19, 2011**. The list should identify the witness' name and position, with a brief summary of the testimony expected. The deadline for the parties to file and exchange exhibit lists is **January 21, 2011**.

DATED: Honolulu, Hawaii, October 28, 2010.

HAWAII LABOR RELATIONS BOARD



JAMES E. NICHOLSON, Chair



SARAH R. HIRAKAMI, Member



NORMAN K. KATO II, Member

Copies sent to:

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