

STATE OF HAWAII

HAWAII LABOR RELATIONS BOARD

In the Matter of

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

Complainant,

and

MICHAEL FUJIOKA, Department of Human  
Resources Development, Employee Claims  
Division, State of Hawaii and MARIE  
LADERTA, Director, Department of Human  
Resources Development, State of Hawaii,

Respondents.

CASE NO. CE-10-761

ORDER NO. 2752

ORDER GRANTING RESPONDENTS'  
MOTION TO CONTINUE HEARING  
SET FOR DECEMBER 1 AND 2, 2010,  
FILED ON NOVEMBER 24, 2010

ORDER GRANTING RESPONDENTS' MOTION TO CONTINUE  
HEARING SET FOR DECEMBER 1 AND 2, 2010, FILED ON NOVEMBER 24, 2010

On November 24, 2010, Respondents, by and through their counsel, filed a Motion to Continue Hearing Set for December 1 and 2, 2010 with the Hawaii Labor Relations Board (Board). Respondents' counsel stated in a Declaration attached to the motion that he is unable to attend the hearing as presently scheduled due to conflicts in this schedule, i.e., a trial before the Labor and Industrial Relations Appeals Board which has been set for over a year scheduled on December 1, 2010 and a mandatory meeting scheduled on December 2, 2010; and that his secretary attempted to obtain Complainant's counsel's approval for a continuance but was unable to obtain counsel's approval.

On November 29, 2010, Complainant filed UPW's Opposition on Motion to Continue Hearing with the Board. Complainant contends, *inter alia*, that there have been undue delays in the proceedings due to Respondents' conduct; that both counsel were contacted by the Board's staff as to their availability prior to scheduling the hearing; that on November 22, 2010, Respondents' counsel's secretary indicated a conflict for December 1, 2010 but not December 2, 2010; and that continuing the hearing will cause significant delay.

After reviewing Respondents' motion and Complainant's opposition and the record in this case, the Board, in its discretion, grants Complainant's motion to continue the hearing presently scheduled on December 1 and 2, 2010. In this case, the hearing was set by the Board because the Board's staff was unable to obtain a mutually agreeable date for the hearing.

NOTICE IS HEREBY GIVEN that the hearing in this matter is rescheduled on **December 22, 2010 at 9:00 a.m. and December 28, 2010 at 9:00 a.m.** in the Board's (Board) hearing room, Room 434, 830 Punchbowl Street, Honolulu, Hawaii. In a letter to the Board, dated October 1, 2010, Complainant stated its next witnesses would be Ms. Laderta and Mr. Matau. The previously issued subpoenas remain in effect to the above-referenced rescheduled hearing dates.

DATED: Honolulu, Hawaii, December 1, 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.  
James E. Halvorson, Deputy Attorney General