

STATE OF HAWAII

HAWAII LABOR RELATIONS BOARD

In the Matter of

SHELLY L. RODRIGUES,

Complainant,

and

DARRYL PERRY, Chief of Police, Kauai
Police Department, County of Kauai;
MICHAEL CONTRADES, Deputy Chief of
Police, Kauai Police Department, County of
Kauai; and ALEJANDRE QUIBILAN,
Assistant Chief of Police, Kauai Police
Department, County of Kauai,

Respondents.

CASE NO. CE-12-828

ORDER NO. 2945

ORDER CONSOLIDATING CASES FOR
DISPOSITION; AND NOTICE OF SECOND
PREHEARING CONFERENCE

In the Matter of

SHELLY L. RODRIGUES,

Complainant,

and

DARRYL PERRY, Chief of Police, Kauai
Police Department, County of Kauai;
MICHAEL CONTRADES, Deputy Chief of
Police, Kauai Police Department, County of
Kauai; and ALEJANDRE QUIBILAN,
Assistant Chief of Police, Kauai Police
Department, County of Kauai,

Respondents.

CASE NO. CE-12-829

ORDER CONSOLIDATING CASES FOR DISPOSITION

On August 6, 2013, Complainant SHELLY L. RODRIGUES (Complainant) filed a Prohibited Practice Complaint, Case No. CE-12-828, against Respondents DARRYL PERRY, Chief of Police, Kauai Police Department, County of Kauai; MICHAEL CONTRADES, Deputy Chief of Police, Kauai Police Department, County of Kauai; and ALEJANDRE QUIBILAN, Assistant Chief of Police, Kauai Police Department, County of Kauai (Respondents). The Prohibited Practice Complaint alleges in material part that Respondents refused to comply with a relevant information request for Grievance SLR-1-6-2013. The Hawaii Labor Relations Board (Board) held a Prehearing/Settlement Conference in this matter on August 30, 2013, and scheduled a hearing on the Prohibited Practice Complaint on September 13, 2013.

Also on August 6, 2013, Complainant filed another Prohibited Practice Complaint, Case No. CE-12-829, against the same Respondents as in CE-12-828, alleging in material part that Respondents refused to comply with a relevant information request for Grievance SLR-2-6-2013. The Board held a Prehearing/Settlement Conference in this matter on August 30, 2013, and scheduled a hearing on the Prohibited Practice Complaint on September 16, 2013.

At the Prehearing/Settlement Conferences held on August 30, 2013, the parties agreed to consolidate CE-12-828 and CE-12-829, and waived the forty-day time requirement for the holding of hearing on complaints contained in Hawaii Revised Statutes (HRS) § 377-9(b).

After reviewing the records in these cases, the Board finds that the Prohibited Practice Complaints involve the same parties and issues, including common allegations of refusal to comply with relevant information requests in the processing of grievances. The Board also finds that consolidation of the proceedings would be efficient, conducive to the proper dispatch of business and the ends of justice, and will not unduly delay the proceedings. Accordingly, pursuant to Hawaii Administrative Rules (HAR) § 12-42-8(g)(13), the Board hereby consolidates CE-12-828 and CE-12-829 and the proceedings thereon for disposition.

NOTICE OF SECOND PREHEARING CONFERENCE

NOTICE IS HEREBY GIVEN that the Board, pursuant to HRS § 89-5(i)(4) and (5), and HAR § 12-42-47, will conduct a Second Prehearing Conference in these consolidated cases on **Tuesday, September 24, 2013, at 10:00 a.m.** in the Board's hearing room located at Room 434, 830 Punchbowl Street, Honolulu, Hawaii, 96813. The purpose of the Prehearing is to arrive at a settlement or clarification of the issues,

to identify and exchange witness and exhibit lists, if any, 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 other procedural matters.

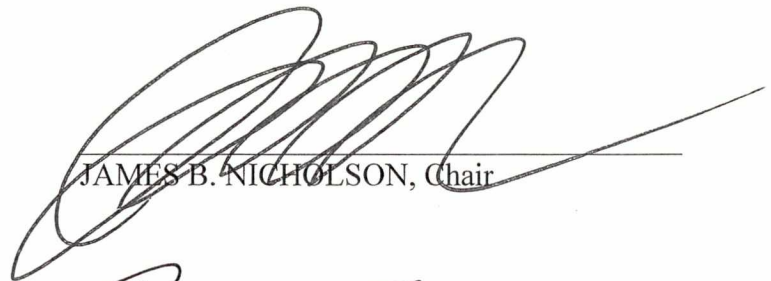
Auxiliary aids and services are available upon request by calling Ms. Nora Ebata of the Board at (808) 586-8610, (808) 586-8847 (TTY), or 1 (888) 569-6859 (TTY neighbor islands). A request for reasonable accommodations should be made no later than ten working days prior to the needed accommodation.

All parties have a right to appear in person and to be represented by counsel or other representative. Any party residing on a neighbor island may appear telephonically at the Prehearing Conference; any neighbor island party who wants to appear telephonically shall call the Board at the above telephone numbers to make the necessary arrangements prior to the date of the Prehearing Conference.

NOTICE IS FURTHER GIVEN that the hearings on Prohibited Practice Complaints in Case Nos. CE-12-828 and CE-12-829, which were scheduled for September 13, 2013, and September 16, 2013, respectively, are hereby **CANCELLED** and that a hearing on the consolidated Prohibited Practice Complaints shall be scheduled at the Second Prehearing Conference on September 24, 2013.

DATED: Honolulu, Hawaii, September 6, 2013.

HAWAII LABOR RELATIONS BOARD



JAMES B. NICHOLSON, Chair



ROCK B. LEY, Member

Copies sent to:

Gary Rodrigues
Marc E. Guyot, Esq.

CE-12-828 and CE-12-829 – Shelly Rodrigues v. Darryl Perry, et al. – Order No. 2945
Order Consolidating Cases for Disposition and Notice of Second Prehearing Conference