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Transaction ID 57552196
Case No. CE-01-808/CU-01-317

STATE OF HAWAII

HAWAII LABOR RELATIONS BOARD

In the Matter of

MICHAEL HIKALEA,

Complainant,

and

DEPARTMENT OF ENVIRONMENTAL SERVICES, City and County of Honolulu, DAVID SHIRAISHI, Department of Environmental Services, City and County of Honolulu; KIRK CALDWELL, Mayor, City and County of Honolulu; HOWARD KAHUE, United Public Workers, AFSCME, Local 646, AFL-CIO; BRANDON MCCONNELL, United Public Workers, AFSCME, Local 646, AFL-CIO; LAURIE SANTIAGO, United Public Workers, AFSCME, Local 646, AFL-CIO; and DAYTON NAKANELUA, United Public Workers, AFSCME, Local 646, AFL-CIO,

Respondents.

CASE NO. CE-01-808
CU-01-317

ORDER NO. 3074

ORDER GRANTING UNION'S
MOTION TO RESCHEDULE
TRIAL CALENDARED FOR
OCTOBER 27-28, 30, 2015 AND
NOTICE OF RESCHEDULED
HEARING ON THE MERITS AND
DEADLINES

**ORDER GRANTING UNION'S MOTION TO RESCHEDULE
TRIAL CALENDARED FOR OCTOBER 27-28, 30, 2015 AND
NOTICE OF RESCHEDULED HEARING ON THE MERITS AND DEADLINES**

On June 22, 2015, Respondents HOWARD KAHUE, BRANDON MCCONNELL, UNITED PUBLIC WORKERS, LAURIE SANTIAGO AND DAYTON NAKANELUA (Respondents UPW) filed "Union's Motion to Reschedule Trial Calendared for October 27-28, 30, 2015" (Motion), by and through their attorney, Rebecca L. Covert (Covert). Covert's Affidavit attached to the Motion stated that there was a conflict due to the union's convention and requested the hearing be rescheduled. On June 25, 2015, Respondents KIRK CALDWELL, Mayor, City and County of Honolulu; DEPARTMENT OF ENVIRONMENTAL SERVICES and DAVID SHIRAISHI (Respondent's City & County of Honolulu) filed the "City Respondents' Statement of No Objection to Union's Motion to Reschedule Trial Calendared for

October 27-28, 30, 2015”, by and through their corporation counsel, John Mukai. On July 6, 2015, Complainant MICHAEL HIKALEA (Complainant) filed “Michael Hikalea’s Statement of No Position on UPW’s Motion to Reschedule Trial Calendared for October 27-28, 30, 2015, by and through his attorney, Jacob M. Merrill.

Accordingly, based on the above and for good cause shown, the Board **HEREBY GRANTS** “Union’s Motion to Reschedule Trial Calendared for October 27-28, 30, 2015”.

NOTICE IS HEREBY GIVEN that the Hearing on the Merits previously scheduled for 9:00 a.m. on October 27-28, 30, 2015 is hereby taken off of the calendar.

NOTICE OF RESCHEDULED HEARING ON THE MERITS AND DEADLINES

NOTICE IS HEREBY GIVEN that the Board, pursuant to Hawaii Revised Statutes (HRS) § 89-5(i)(3), (4), and (5), and Hawaii Administrative Rules (HAR) §§ 12-42-8(g) and 12-42-49, will conduct a hearing on the merits on **December 14-16, 2015, at 9:00 a.m.**, in the Board's hearing room located at 830 Punchbowl Street, Room 434, Honolulu, Hawaii.

The deadlines for the hearing on the merits are as follows:

Deadline for:

**Due by Noon
on listed date**

- | | |
|---|-----------------|
| 1. Application for the issuance of subpoenas of Complainant’s first 5 witnesses. If subpoenas are issued, the Board requests that parties send a courtesy copy to all opposing parties and file the proof of service with the Board by the next business day following service. | 11/16/15 |
| 2. Exchange of Witness List: The witness list shall include, in the interest of judicial economy, a brief but meaningful summary or general statement of the nature of the testimony expected, and the order in which the witnesses are expected to be called. The summary or general statement for each witness shall include sufficient information for the Board to determine whether the testimony will be irrelevant, immaterial, or unduly repetitious to any other witness testimony; <u>see</u> , Hawaii Revised Statutes § 91-10(1) and Hawaii Administrative Rules § 12-42-8(g)(8)(B). | 12/07/15 |

3. Exchange of Exhibit Lists: Complainant's exhibits shall be marked using numbers (e.g., 1, 2, 3, etc.) and Respondents City and County of Honolulu's exhibits shall be marked using letters of the alphabet (e.g. A-B-C-, etc.), and Respondents UPW's exhibits shall be marked using roman numerals (e.g. I-II-III, etc.).

12/07/15

4. Copies of exhibits shall be provided to the Board as follows:

12/11/15

a. If a party is utilizing the File & ServeXpress eFiling system to file its proposed exhibits; then the party shall provide to the Board one (1) hard copy of its exhibits for use by the witness on the day of the hearing and deliver one copy to Opposing Counsel; or

b. If a party is not utilizing the File & ServeXpress eFiling system, then said party shall provide to the Board its proposed exhibits as follows: one (1) hard copy set for use by the witness on the day of the hearing and deliver one hard copy set to opposing counsel, and one (1) pdf copy of the exhibits in one file and bookmarked, or in individual files for the Board.

DATED: Honolulu, Hawaii, July 14, 2015.

HAWAII LABOR RELATIONS BOARD


KERRY M. KOMATSUBARA, Chair


SESNITA A.D. MOEPONO, Member


ROCK B. LEY, Member

Copies sent to:
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Rebecca Covert, Esq.