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Transaction ID 60858162  
Case No. 17-RA-03-243a, 17-RA-13-243b**

STATE OF HAWAII

HAWAII LABOR RELATIONS BOARD

In the Matter of	)	CASE NOS.: 17-RA-03-243a
	)	17-RA-13-243b
HAWAII GOVERNMENT EMPLOYEES	)	
ASSOCIATION, AFSCME, LOCAL 152,	)	STIPULATED PROPOSED FINDINGS OF
AFL-CIO	)	FACT, CONCLUSIONS OF LAW AND
	)	ORDER; ATTACHMENT "A"
Petitioner,	)	
	)	ORDER NO. 3278
and	)	
	)	
CITY AND COUNTY OF HONOLULU,	)	
DEPARTMENT OF HUMAN RESOURCES	)	
	)	
Intervenor.	)	
_____	)	

**STIPULATED PROPOSED FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER**

On April 18, 2017, Petitioner HAWAII GOVERNMENT EMPLOYEES ASSOCIATION, AFSCME, LOCAL 152, AFL-CIO (hereinafter, "Petitioner") filed a Petition for Clarification or Amendment of Appropriate Bargaining Unit (hereinafter, "Petition") with the Hawaii Labor Relations Board (hereinafter, the "Board"). On May 1, 2017, Intervenor City and County of Honolulu, Department of Human Resources (hereinafter, "Intervenor") filed a Petition for Intervention in these proceedings.

On May 15, 2017, the Board held its Initial Conference and granted Intervenor's Petition for Intervention. Briefly stated, the Petition requests that the Board amend the bargaining unit of the Medical Examiner's Investigator I and II classes from Bargaining Unit 03 to Bargaining Unit 13 and the Medical Examiner's Investigative and Operations Supervisor from Bargaining Unit 04 to Bargaining Unit 13.

After due consideration of the foregoing, as well as the unified positions of Petitioner and Intervenor in support of the Petition, the Board hereby makes the following Findings of Fact, Conclusions of Law, and Order:

FINDINGS OF FACT

1. Petitioner is an employee organization as defined in Hawaii Revised Statutes (hereinafter, "HRS") § 89-2 and the certified exclusive representative of employees in Bargaining Units 03, 04, and 13. Intervenor is a public employer as defined in HRS § 89-2 and the sole public employer of all employees in the Bargaining Unit 03 and 04 classes that the Petition seeks to transfer to Bargaining Unit 13.
2. On April 25, 2017, the Board issued a Notice of Deadline for Filing Petitions for Intervention, which set a deadline of May 2, 2017. Inasmuch as Intervenor was the sole party to file a Petition for Intervention by such deadline, Petitioner and Intervenor are the only parties to this proceeding.
3. Petitioner and Intervenor (collectively, the "Parties") concur as to the appropriateness of the transfer of the Medical Examiner's Investigator I and II classes from Bargaining Unit 03 to Bargaining Unit 13.
4. The Parties also concur as to the appropriateness of the transfer of the Medical Examiner's Investigative and Operations Supervisor from Bargaining Unit 04 to Bargaining Unit 13.
5. True and correct copies of the current class specifications for the above-referenced classifications in Bargaining Units 03 and 04 are attached as Attachment "A".

6. Given the Parties' concurrence on all issues relevant to this matter, the Parties have waived a hearing on the merits.

CONCLUSIONS OF LAW

1. The Board has jurisdiction over this matter pursuant to HRS §§ 89-5 and 89-6.
2. Based upon the records and files in this case, the Board finds that it is appropriate and consistent with HRS § 89-6 to transfer the Medical Examiner's Investigator I and II classes from Bargaining Unit 03 to Bargaining Unit 13, and the Medical Examiner's Investigative and Operations Supervisor from Bargaining Unit 04 to Bargaining Unit 13.

ORDER

It is hereby ordered that Petitioner's Petition is granted. Accordingly, the Medical Examiner's Investigator I and II classes shall be transferred from Bargaining Unit 03 to Bargaining Unit 13 and the Medical Examiner's Investigative and Operations Supervisor class shall be transferred from Bargaining Unit 04 to Bargaining Unit 13. The specific terms and conditions of the transfer, including but not limited to the effective date, shall be determined by the Parties through mutual agreement.

DATED: Honolulu, Hawaii, July 14, 2017.

HAWAII LABOR RELATIONS BOARD



*Sesnita A. D. Moepono*  
SESNITA A.D. MOEPONO, Member

*N. Musto*  
N. MUSTO, Member

This case is closed.

Approved as to Form:

Paul S. Hoshino

PAUL S. HOSHINO

Attorney for Intervenor

Debra A. Kagawa

DEBRA A. KAGAWA

Attorney for Petitioner

**ATTACHMENT "A"**

DEPARTMENT OF HUMAN RESOURCES  
CITY AND COUNTY OF HONOLULU

## Class Specification

070704  
070706**MEDICAL EXAMINER'S INVESTIGATOR I & II**  
**SR 18 & 21, BU 03**Duties Summary:

Conducts lay investigations of deaths which are accidental, violent, unattended or unexplained to determine facts, develop evidence and secure information to ascertain the medical cause of death; and performs other related duties as required.

Distinguishing Characteristics:

These classes are distinguished by its responsibility for performing lay investigative work in connection with medical examinations of the cause of death.

Grade Level Standards:

Grade I: This level is characterized by its responsibility for the independent performance of the more routine lay investigations of deaths, and for participation in progressively more difficult and responsible investigative assignments.

Grade II: This level is characterized by its responsibility for the independent performance of the full range of complex lay investigations of deaths.

Illustrative Examples of Work:

(The following examples of work are generally stated and are not necessarily descriptive of any one position in this class. The omission of specific duty statements does not preclude management from assigning such duties if such duties are a logical assignment for the position and consistent with the class concept.)

- Performs lay investigations of deaths due to violence, casualty or suicide, or which occur suddenly when in apparent health, when not under the care of a physician, when in jail or in prison, within 24 hours after admission to a hospital, or in any suspicious or unusual manner.
- Obtains fingerprints, ante-mortem dental records and/or skeletal x-rays used by outside agencies to establish positive identification of the deceased.
- Coordinates with next of kin the presumptive identification of the deceased.
- Interviews witnesses.
- Contacts relatives, friends, first responders or hospital personnel for information concerning incidents preceding death;

**ATTACHMENT 1**

- Photographs the scene and the deceased.
- Prepares detailed reports on findings along with appropriate conclusions as to possible cause of death for use in the medico-legal system.
- Supervises removal of bodies to the morgue.
- Supervises the disrobing of bodies in the morgue and attaches identification tags thereto.
- Cooperates and coordinates investigations of deaths with other agencies such as the police, FBI, military, etc.
- Contacts the next of kin when necessary.
- May issue subpoenas and take statements from witnesses.
- Takes into custody personal property of deceased persons and prepares reports of same.
- Gives testimony in court and before the Grand Jury.

Minimum Qualification Requirements for the Class:

Training and Experience: A combination of education and experience substantially equivalent to graduation from high school and

Grade I: two years of experience in investigative work OR one year of experience conducting lay investigations in connection with medical examinations of the cause of death.

Grade II: three years of experience in investigative work, one of which shall have involved lay investigations in connection with medical examinations of the cause of death OR two years of experience conducting lay investigations in connection with medical examinations of the cause of death.

License Requirement: Possession of a valid Hawaii State driver's license (Type 3).

Knowledge of: investigative and interviewing techniques; terminology of the causes of death; signs of trauma; the human anatomy; medical terminology; legal procedures pertaining to the work.

Ability to: prepare clear and concise reports; evaluate evidence; obtain information from persons in situations of distress; maintain effective working relationships; withstand exposure to offensive odors and sights; work independently with minimal supervision; use judgment and initiative in following through on assigned tasks; understand and follow oral and written directions, diagrams and charts.

Willingness to: work irregular hours.

Physical Requirement:

Persons seeking appointment to positions in this class must meet the health and physical condition standards deemed necessary and proper for performance of the duties.

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This is an amendment to the specification for the classes,  
**MEDICAL EXAMINER'S INVESTIGATOR I & II**, which were  
approved on June 8, 1973.

APPROVED: May 19, 2009

KEN NAKAMATSU  
Director of Human Resources





# MEDICAL EXAMINER'S INVESTIGATIVE & OPERATIONS SPVR

Class Code:  
070709

Bargaining Unit: White Collar Supervisory

CITY AND COUNTY OF HONOLULU

## SALARY RANGE

\$25.97 - \$41.59 Hourly  
\$2,077.38 - \$3,327.23 Biweekly  
\$4,501.00 - \$7,209.00 Monthly  
\$54,012.00 - \$86,508.00 Annually

### DUTIES SUMMARY:

Plans, directs and coordinates the conduct of lay investigations of circumstances leading to accidental, violent, unattended or unexplained deaths; plans, coordinates and supervises the performance of technical assistance and related services relative to post-mortem examinations and the operation and maintenance of the City and County Morgue; and performs other related duties as required.

### DISTINGUISHING CHARACTERISTICS:

This class is distinguished by its responsibility for the overall planning, supervising and coordinating of all activities relating to the conduct of lay investigations of violent and unexplained deaths, technical assistance and related services in the performance of post-mortem examinations, and operation and maintenance of the facilities and equipment.

### ILLUSTRATIVE EXAMPLES OF WORK:

Plans, directs, coordinates and supervises the work of the investigative and plant operations staff; reviews, develops, and implements operating policies and procedures and establishes standards of performance; reviews investigative findings for completeness and accuracy; initiates studies of proposed and existing laws, rules, regulations and policies relative to investigative functions, and makes recommendations as necessary; reviews and analyzes operational reports and other data and initiates improvements; directs in-service training for subordinates to promote employee development; supervises, monitors and evaluates subordinates' work performance; administers disciplinary actions and provides consultations as appropriate; controls and coordinates proper identification of decedents, notifies next of kin, and releases bodies to mortuaries; ensures security and return of all property to appropriate parties; reviews and coordinates the repair and maintenance activities of the Medical Examiner's facility and grounds; keeps abreast of new developments and changes in the field; may represent the department in administrative and training matters; provides testimony in court and before the Grand Jury; answers inquiries and resolves complaints; prepares reports and correspondence.

### MINIMUM QUALIFICATION REQUIREMENTS:

**Training and Experience:** A combination of education and experience substantially equivalent to graduation from high school and five years of experience in investigative work in connection with medical examinations of the cause of death, including or supplemented by two years of supervisory experience.

**License Requirement:** Possession of a valid Hawaii State driver's license (Type 3).

## ATTACHMENT 4

Knowledge of: principles and practices of supervision and administration; investigative and interviewing methods and techniques; principles of human behavior; organization and operation of investigative activities; terminology of the causes of death; signs of trauma; the human anatomy; legal procedures pertaining to the work; court procedures; and public health regulations.

Ability to: plan, organize, direct and coordinate the work of others; interpret and explain laws, rules and regulations; formulate operational policies and procedures; evaluate evidence; review investigative and operational reports and make recommendations and decisions; obtain and analyze information from persons in situation of distress; operate and maintain a morgue; establish and maintain effective working relationships with the public and other governmental agencies; prepare clear and concise reports.

Willingness to: work irregular hours.

**Physical Requirement:**

Persons seeking appointment to positions in this class must meet the health and physical condition standards deemed necessary and proper for performance of the duties.

**DATE APPROVED:**

This is the first specification approved for the new class, MEDICAL EXAMINER'S INVESTIGATIVE AND OPERATIONS SUPERVISOR, effective July 1, 1991.

APPROVED: June 6, 1994

KAREN S. PETERSON  
for Director of Human Resources\*

\*Department of Human Resources effective 7/1/98