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Transaction ID 61466471
Case No. 16-CE-11-887, 14-CE-11-845**

STATE OF HAWAII
HAWAII LABOR RELATIONS BOARD

In the Matter of

HAWAII FIRE FIGHTERS ASSOCIATION,
IAFF, LOCAL 1463, AFL-CIO,

Complainant,

and

KIRK CALDWELL, Mayor, City and County
of Honolulu; MANUEL P. NEVES, Fire
Chief, Honolulu Fire Department, City and
County of Honolulu; HONOLULU FIRE
DEPARTMENT, City and County of
Honolulu; and CITY AND COUNTY OF
HONOLULU,

Respondents.

CASE NO.: 14-CE-11-845

ORDER NO.: 3311

ORDER GRANTING HFFA/IAFF SECOND
MOTION TO CONTINUE DEADLINE FOR
HFFA SUBMISSION OF PROPOSED
FINDINGS OF FACT, CONCLUSIONS OF
LAW, AND DECISION AND ORDER; AND
ORDER SETTING DEADLINES
REGARDING ANY REQUEST FOR
ATTORNEY'S FEES AND COSTS

In the Matter of

HAWAII FIRE FIGHTERS ASSOCIATION,
IAFF, LOCAL 1463, AFL-CIO,

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and

KIRK CALDWELL, Mayor, City and County
of Honolulu; MANUEL P. NEVES, Fire Chief,
Honolulu Fire Department, City and County of
Honolulu; HONOLULU FIRE
DEPARTMENT, City and County of Honolulu;
and CITY AND COUNTY OF HONOLULU,

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CASE NO.: 16-CE-11-887

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DEADLINE FOR HFFA SUBMISSION OF PROPOSED FINDINGS OF FACT,
CONCLUSIONS OF LAW, AND DECISION AND ORDER; AND ORDER SETTING
DEADLINES REGARDING ANY REQUEST FOR ATTORNEY'S FEES AND COSTS

On October 20, 2017, Complainant HAWAII FIRE FIGHTERS ASSOCIATION, IAFF, LOCAL 1463, AFL-CIO (HFFA or Complainant) filed HFFA/IAFF MOTION TO CONTINUE DEADLINE FOR HFFA SUBMISSION OF PROPOSED FINDINGS OF FACT, CONCLUSIONS OF LAW, AND DECISION AND ORDER; AND ORDER SETTING DEADLINES REGARDING ANY REQUEST FOR ATTORNEY'S FEES AND COSTS (HFFA First Motion for Extension), requesting that the Hawaii Labor Relations Board (Board) extend the deadline for Complainant to submit proposed findings of fact, conclusions of law, decision, and order, and order setting deadlines regarding any request for attorney's fees and costs (Proposed Findings and Conclusions and Request for Attorney's Fees) from October 30, 2017 to November 30, 2017. The HFFA First Motion for Extension was accompanied by a Declaration of Peter Liholiho Trask, Complainant's counsel, setting forth the reasons in support of the requested extension.

On October 23, 2017, Respondents KIRK CALDWELL, Mayor, City and County of Honolulu; MANUEL P. NEVES, Fire Chief, Honolulu Fire Department, City and County of Honolulu; HONOLULU FIRE DEPARTMENT, City and County of Honolulu; and CITY AND COUNTY OF HONOLULU (Respondents) filed RESPONDENTS' POSITION STATEMENT IN REGARD TO HFFA/IAFF MOTION TO CONTINUE DEADLINE FOR HFFA SUBMISSION OF PROPOSED FINDINGS OF FACT, CONCLUSIONS OF LAW, AND DECISION AND ORDER FILED OCTOBER 20, 2017 (Respondents' Position Statement). The Position Statement asserted that Respondents were amenable to Complainant's request for a continuance of deadlines, but requested that Respondents' deadline to file exceptions (Respondents' Exceptions) be continued to February 28, 2018. The Position Statement was accompanied by a Declaration of Counsel setting forth the reason in support of the request for an extension of the deadline for filing of Respondents' Exceptions.

On October 31, 2017, the Board issued Order No. 3300 GRANTING HFFA/IAFF MOTION TO CONTINUE DEADLINE FOR HFFA SUBMISSION OF PROPOSED FINDINGS OF FACT CONCLUSIONS OF LAW, AND DECISION AND ORDER; AND ORDER SETTING DEADLINES REGARDING ANY REQUEST FOR ATTORNEY'S FEES AND COSTS (Order No. 3300). Order No. 3300 granted both the HFFA First Motion for Extension, and the extension requested in Respondent's Position Statement. Accordingly, the Board set a new deadline of **December 15, 2017** for the filing of Complainant's Proposed Findings and

Conclusions and Request for Attorney's Fees and a deadline of **February 28, 2018** for the filing of Respondents' Exceptions.

On December 12, 2017, the Complainant filed HFFA/IAFF SECOND MOTION TO CONTINUE DEADLINE FOR HFFA SUBMISSION OF PROPOSED FINDINGS OF FACT, CONCLUSIONS OF LAW, AND DECISION AND ORDER; AND ORDER SETTING DEADLINES REGARDING ANY REQUEST FOR ATTORNEY'S FEES AND COSTS (HFFA Second Motion for Extension). In his Declaration in support of the Second Motion for Extension, Mr. Trask, counsel for the Complainant, declares that this Second Motion for Extension to file Proposed Findings and Conclusions and Request for Attorney's Fees from December 15, 2017 to January 15, 2018 is made based on his need to attend to the critical medical condition of his brother, who is in a coma and hospitalized on the island of Maui. Mr. Trask further declares that he attempted to notify Deputy Corporation Counsel Amanda Furman, counsel for the Respondents, of the HFFA Second Motion for Extension, however, she was unavailable.

Based on Complainant's counsel having shown extenuating circumstances and for reasons of compassion, the Board, therefore, grants the HFFA Second Motion for Extension and resets the deadline for the filing of HFFA's Proposed Findings and Conclusions and Request for Attorney's Fees to **January 15, 2018**. The Board recognizes that this HFFA Second Motion for Extension is being granted without allowing Respondents the five days to respond to the Second Motion for Extension provided by Hawaii Administrative Rules § 12-42-8(g)(3)(C)(iii). Therefore, the Board extends the deadline for Respondents to file their Exceptions from **February 28, 2018 to March 30, 2018**.

DATED: Honolulu, Hawaii, Dec. 13, 2017.

HAWAII LABOR RELATIONS BOARD



MARCUS R. OSHIRO, Chair



SESNITA A.D. MOEPONO, Member



J.N. MUSTO, Member



Copies to:
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Amanda Furman, Deputy Corporation Counsel