



DEPARTMENT OF THE CORPORATION COUNSEL

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**Transaction ID 62876774**  
**Case No. 17-CE-03-903**

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STATE OF HAWAII

HAWAII LABOR RELATIONS BOARD

In the Matter of

HAWAII GOVERNMENT EMPLOYEES  
ASSOCIATION, AFSCME, LOCAL 152,  
AFL-CIO,

Complainant,

and

KIRK CALDWELL, Mayor, City and County  
of Honolulu; ERNEST Y.W. LAU, P.E.,  
Manager and Chief Engineer of the Board  
of Water Supply; ELLEN KITAMURA,  
Deputy Manager and Chief Engineer of the  
Board of Water Supply; CAROLEE KUBO,  
Director, Department of Human Resources,  
City and County of Honolulu; and NOEL  
ONO, Assistant Director, Department of  
Human Resources, City and County of  
Honolulu,

Respondents.

CASE NO. 17-CE-03-903

THIRD STIPULATION AND ORDER TO  
CONTINUE STATUS CONFERENCE  
SCHEDULED FOR JANUARY 18, 2019  
TO FEBRUARY 1, 2019

ORDER NO. 3441

**THIRD STIPULATION AND ORDER TO CONTINUE STATUS CONFERENCE  
SCHEDULED FOR JANUARY 18, 2019 TO FEBRUARY 1, 2019**

WHEREAS, Complainant HAWAII GOVERNMENT EMPLOYEES ASSOCIATION, AFSCME, LOCAL 152, AFL-CIO (“HGEA”), through its counsel and representative, and Respondents KIRK CALDWELL, Mayor, City and County of Honolulu; ERNEST Y.W. LAU, P.E., Manager and Chief Engineer of the Board of Water Supply; ELLEN KITAMURA, Deputy Manager and Chief Engineer of the Board of Water Supply; CAROLEE KUBO, Director, Department of Human Resources, City and County of Honolulu; and NOEL ONO, Assistant Director, Department of Human Resources, City and County of Honolulu (“City Respondents”), through their attorney, ERNEST H. NOMURA, Deputy Corporation Counsel, have been in good faith negotiating a settlement of the pending prohibited practice complaint in this matter;

WHEREAS, counsel for HGEA recently withdrew as counsel and substitute representative recently appeared in this case and requires time to review the case file and status of the settlement negotiations;

WHEREAS, settlement documents have been exchanged between the parties and are currently under review by HGEA;

WHEREAS, HGEA has had preliminary meetings and discussions with its impacted members to consider the terms of the settlement and resolution of this case;

WHEREAS, HGEA had a final meeting with the impacted members in mid-December 2018, to finalize the terms and conditions of the settlement and resolution of the case and to ensure that impacted members are fully apprised of the settlement and resolution of the case;

WHEREAS, the parties, by its counsel and representative, have agreed to the settlement terms and signatures of the parties are being obtained;

WHEREAS, the parties believe that a short continuation of the status conference in this matter is needed so that signatures on the settlement documents and stipulation to dismiss with prejudice can be obtained;

WHEREAS, the parties believe that the settlement and resolution of the case should close prior to the proposed continued status conference in late January 2019, and, if so, the parties will cause to be submitted to the Board a stipulation to dismiss this case with prejudice as part of the settlement of the case;

WHEREAS, on October 22, 2018, the Board, by Order No. 3412, continued the status conference from October 25, 2018, to December 14, 2018, and since that time, HGEA and BWS have been meeting continuously and diligently with each other to finalize the terms and conditions of the settlement document and HGEA has had meeting with its member and executive staff to review and educate impacted members of the resolution of this case;

THEREFORE, IT IS HEREBY STIPULATED between Complainant HAWAII GOVERNMENT EMPLOYEES ASSOCIATION, AFSCME, LOCAL 152, AFL-CIO, through its representative, and Respondents KIRK CALDWELL, Mayor, City and County of Honolulu; ERNEST Y.W. LAU, P.E., Manager and Chief Engineer of the Board of Water Supply; ELLEN KITAMURA, Deputy Manager and Chief Engineer of the Board of Water Supply; CAROLEE KUBO, Director, Department of Human Resources, City and County of Honolulu; and NOEL ONO, Assistant Director, Department of Human Resources, City and County of Honolulu, through their attorney, ERNEST H. NOMURA, Deputy Corporation Counsel, that the Status Conference, currently scheduled on January 18, 2019, at 9:00 a.m., <sup>SM</sup> <sup>ms</sup> be continued <sup>Don</sup> to February 1, 2019, at 9:00 a.m., <sup>ms</sup> ~~or as soon thereafter~~

*SM* as the members of the Board may accommodate the parties, in the Board's hearing room, 830 Punchbowl Street, Room 434, Honolulu, Hawaii.

The parties understand and agree that if the case is resolved by way of settlement before the new status conference date, then a stipulation to dismiss all claims and all parties with prejudice shall be filed forthwith.

DATED: Honolulu, Hawaii, January 16, 2019.

/s/ Ernest H. Nomura  
ERNEST H. NOMURA  
Deputy Corporation Counsel  
Attorney for City Respondents

/s/ Stacy Moniz  
STACY MONIZ, HGEA Advocacy Manager  
Representative for Complainant  
HAWAII GOVERNMENT EMPLOYEES  
ASSOCIATION, AFSCME, LOCAL 152,  
AFL-CIO

APPROVED AND SO ORDERED:

ORDER NO. 3441

DATED: January 17, 2019

*Marcus R. Oshiro*  
MARCUS R. OSHIRO, Chair  
Hawaii Labor Relations Board

*Sesnita A.D. Moepono*  
SESNITA A.D. MOEPONO, Member  
Hawaii Labor Relations Board

*J.N. Musto*  
J.N. MUSTO, Member  
Hawaii Labor Relations Board

