

STATE OF HAWAII
PUBLIC EMPLOYMENT RELATIONS BOARD

In the Matter of) GEORGE R. ARIYOSHI, Governor) of the State of Hawaii,)) Petitioner,)) and) HAWAII GOVERNMENT EMPLOYEES') ASSOCIATION, LOCAL 152,) AFSCME, AFL-CIO,)) Intervenor.)	Case No. <u>DR-03-38</u> Order No. <u>352</u>
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ORDER DIRECTING SUBMISSION OF
SUPPLEMENTARY POSTHEARING BRIEFS

On February 11, 1980, George Ariyoshi, Governor of the State of Hawaii (hereafter State) filed a petition for a declaratory ruling as to whether the matter of the implementation of repricing actions is negotiable.

The Hawaii Government Employees' Association (hereafter HGEA) intervened in the above-stated declaratory ruling case on April 1, 1980.

On June 27, 1980, the State and the HGEA submitted a stipulation of facts and simultaneous posthearing briefs in lieu of a hearing on the declaratory ruling.

After a full review and consideration of the stipulation and briefs, the Board is of the opinion that additional facts and memoranda of law are necessary before a declaratory ruling can be issued in this case. Accordingly, in order to obviate the need for a hearing on this case, the Board directs the parties to submit supplementary posthearing briefs in the case addressing the following issues:

1. Based upon the legislative history of Chapter 77, HRS, and any other authoritative sources, what is the purpose for repricing actions?

2. Provide a history of the Employer's past practice in implementing both repricing and incremental or wage increases.

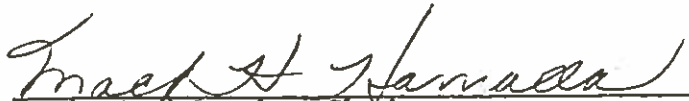
3. Demonstrate what the impact is on an employee's wages when a repricing action and an incremental increase are implemented during the same year but not simultaneously.

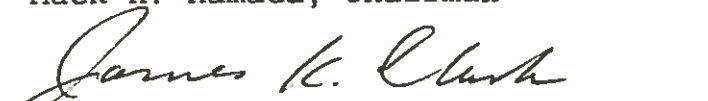
4. Whether there is an inconsistency between the statutory provision of HRS §89-9(a), that wages be negotiated, and the provision of HRS §89-9(d), that repricing is nonnegotiable.

5. Whether the concept of repricing is incompatible with the concept of negotiated wage increases.

The briefs should be filed with the Board no later than 4:30 p.m., Friday, October 10, 1980, together with certification of service upon counsel for the opposing party.

HAWAII PUBLIC EMPLOYMENT RELATIONS BOARD


Mack H. Hamada, Chairman


James K. Clark, Board Member


John E. Milligan, Board Member

Dated: September 12, 1980

Honolulu, Hawaii