

STATE OF HAWAII

HAWAII PUBLIC EMPLOYMENT RELATIONS BOARD

In the Matter of )  
 )  
 LOUIS VICTORINO, )  
 )  
                           Complainant, )  
 )  
                           and )  
 )  
 GEORGE R. ARIYOSHI, Governor, )  
 State of Hawaii; DEPARTMENT OF )  
 TRANSPORTATION, State of )  
 Hawaii; and UNITED PUBLIC )  
 WORKERS, LOCAL 646, AFSCME, )  
 AFL-CIO, )  
 )  
                           Respondents. )

CASE NOS.: CE-01-96  
 CU-01-49  
 ORDER CONSOLIDATING CASES  
 FOR DISPOSITION; ORDER  
 GRANTING MOTION TO CONTINUE;  
 NOTICE OF HEARING

ORDER NO. 540

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In the Matter of )  
 )  
 STANLEY GONSALVES and UNITED )  
 PUBLIC WORKERS, AFSCME, LOCAL )  
 646, AFL-CIO, )  
 )  
                           Complainants, )  
 )  
                           and )  
 )  
 LOUIS VICTORINO and E. COURTNEY )  
 KAHR, )  
 )  
                           Respondents. )

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CASE NO. CEE-01-1

ORDER CONSOLIDATING CASES FOR DISPOSITION; ORDER  
 GRANTING MOTION TO CONTINUE; NOTICE OF HEARING

The Complainants in Case No. CEE-01-1 allege that Respondents wilfully interfered with, threatened, restrained and coerced Complainant STANLEY GONSALVES in the exercise of his rights guaranteed under Chapter 89, Hawaii Revised Statutes

[hereinafter referred to as HRS], and wilfully violated the terms of the collective bargaining agreement by:

- (a) filing Case Nos. CE-01-96 and CU-01-49 in alleged retaliation for Complainant's filing of the underlying grievance;
- (b) threatening legal action in abrogation of § 16.06(c) of the contract and the arbitration award in Complainant's underlying grievance if Complainant seeks enforcement of the arbitration award;
- (c) filing a Complaint to restrain, coerce, and interfere with Complainant's rights under Chapter 89, HRS, to engage in lawful concerted activity and in blatant violation of his rights under the Unit 1 contract [§ 16.06(c)];
- (d) with the alleged purpose of disrupting the effect of the arbitration award, Respondents allegedly contacted State officials and threatened legal action; and
- (e) allegedly communicating threats of legal action against Respondent UNITED PUBLIC WORKERS for its enforcement of the terms of the contract.

Due to the fact that substantially the same parties are involved in the above-captioned cases, the Hawaii Public Employment Relations Board [hereinafter referred to as HPERB] finds that consolidation of both cases for hearing would be conducive to the proper dispatch of business and the ends of justice and will not unduly delay the proceedings. Pursuant to Administrative Rules § 12-42-8(g)(13), these complaints and the proceedings thereon are hereby consolidated for disposition.

In addition, pursuant to UNITED PUBLIC WORKERS' Motion to Continue Hearing filed on April 8, 1985 in Case Nos. CE-01-96 and CU-01-49, the hearings on these consolidated complaints are rescheduled to June 18, 1985 at 10:30 a.m. in the State Building


Conference Room C, located at 3060 Eiwa Street, Lihue, Kauai. The hearing may continue from day to day until completed. Other applicable provisions in the notice dated April 3, 1985 remain applicable.

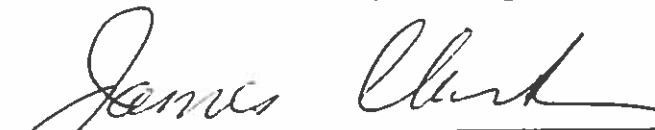
All parties have the right to appear in person and to be represented by counsel or other representative.

YOU ARE ALSO HEREBY NOTIFIED that in lieu of a prehearing conference in Case No. CEE-01-1, the appropriate parties shall identify their respective witnesses and exhibits in their Pretrial Statement.

DATED: Honolulu, Hawaii, April 24, 1985.

HAWAII PUBLIC EMPLOYMENT RELATIONS BOARD

  
MACK H. HAMADA, Chairperson

  
JAMES K. CLARK, Board Member

  
JAMES R. CARRAS, Board Member

Copies sent to:

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