

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 GRANTING MOTION TO
CONTINUE HEARING

ORDER NO. 551

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

CASE NO. CEE-01-1

ORDER GRANTING MOTION TO CONTINUE HEARING

On May 2, 1985, the Hawaii Public Employment Relations Board [hereinafter referred to as HPERB or the Board] received from STANLEY GONSALVES [hereinafter referred to as GONSALVES] and UNITED PUBLIC WORKERS, LOCAL 646, AFSCME, AFL-CIO [hereinafter referred to as UPW], a Motion to Continue Hearing supported by an Affidavit of Herbert R. Takahashi, counsel for GONSALVES

and the UPW. In their motion, GONSALVES and the UPW requested a continuance of the hearing currently scheduled for June 18, 1985 due to the unanticipated large number of potential witnesses currently residing on Kauai and to the unavailability of Gary Rodrigues [hereinafter referred to as Rodrigues], the State Director of the UPW, for the scheduled hearing date. In the alternative to a continuance, GONSALVES and the UPW requested a bifurcation of the proceedings to permit the attendance of Rodrigues in a portion of the hearing on the island of Oahu. On May 9, 1985, HPERB received from LOUIS VICTORINO [hereinafter referred to as VICTORINO] and E. COURTNEY KAHR [hereinafter referred to as KAHR] a document entitled Opposition to Motion to Continue Hearing. Therein VICTORINO and KAHR opposed the Motion to Continue Hearing and the proposal to bifurcate the proceedings to permit Rodrigues to attend the hearings on the island of Oahu. KAHR's affidavit indicates that she will be unable to represent VICTORINO and herself until August 6, 1985.

The Board, after consideration of the above-enumerated documents, hereby grants the motion to continue hearing pursuant to Administrative Rules § 12-42-8(g)(3). The primary basis for this decision is the Board's conclusion that no prejudice will result to VICTORINO or KAHR as a result of a continuance. Any remedy granted to VICTORINO and KAHR as a result of prevailing in the case-in-chief will not be affected by a continuance of the hearing at this time. Upon a further notice, the hearing in this matter will be scheduled after August 6, 1985.

LOUIS VICTORINO vs. GEORGE R. ARIYOSHI, DEPARTMENT OF TRANSPORTATION and UPW; STANLEY GONSALVES and UPW vs. LOUIS VICTORINO and E. COURTNEY KAHR
CASE NOS.: CE-09-96, CU-01-49 and CEE-01-1
ORDER NO. 551
ORDER GRANTING MOTION TO CONTINUE HEARING

DATED: Honolulu, Hawaii, May 29, 1985.

HAWAII PUBLIC EMPLOYMENT RELATIONS BOARD



JAMES K. CLARK, Board Member



JAMES R. CARRAS, Board Member

Copies sent to:

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