

STATE OF HAWAII  
HAWAII LABOR RELATIONS BOARD

In the Matter of	)	CASE NO. PD-07-02
	)	
SIMON NICHOLSON,	)	ORDER NO. 624
	)	
Petitioner,	)	PREHEARING ORDER
	)	
and	)	
	)	
UNIVERSITY OF HAWAII	)	
PROFESSIONAL ASSEMBLY,	)	
	)	
Exclusive	)	
Representative.	)	
_____	)	

PREHEARING ORDER

A prehearing conference was held on the instant petition on May 19, 1987 at 9:00 a.m. in the Board's hearings room. Thomas P. Gill, Esq. represented the UNIVERSITY OF HAWAII PROFESSIONAL ASSEMBLY [hereinafter referred to as UHPA]. No one appeared on behalf of Petitioner SIMON NICHOLSON.

It is apparent from the pleadings submitted, that the issue before this Board is the applicability of the UK/USA Double Tax Treaty to the payment of union dues or their equivalent pursuant to Chapter 89, Hawaii Revised Statutes. Accordingly, the Board directs Petitioner to respond to the following interrogatories:

1. How long were you employed at the University of Hawaii?
2. What is the contested amount of dues equivalent?
3. Whether you were a member of the union while employed by the University of Hawaii?

4. In what capacity did you serve at the University of Hawaii?

5. Whether you paid American taxes or U.K. taxes during your employment at the University of Hawaii?

6. How is the treaty applicable to the payment of dues equivalents to a labor union as compared to the payment of taxes to the U.S. government?

The Petitioner is also directed to set forth in writing all of the reasons and arguments in support of his contention that he receives a dues refund. Petitioner's responses must be received by the Board within six weeks, by 4:30 p.m. on July 2, 1987. Thereafter, Exclusive Representative UHPA will be afforded an opportunity to reply.

Failure to comply with this Board's order may constitute a failure to prosecute this action and may result in a dismissal of this case.

DATED: Honolulu, Hawaii, May 21, 1987.

HAWAII LABOR RELATIONS BOARD

  
MACK H. HAMADA, Chairperson

  
JAMES R. CARRAS, Board Member

Copies sent to:

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