

order

STATE OF HAWAII
HAWAII LABOR RELATIONS BOARD

In the Matter of)	CASE NO. 91-1(R)
)	
MICHAEL CHAMBRELLA,)	ORDER NO. 855
)	
Petitioner,)	ORDER GRANTING HAWAII
)	TEAMSTERS AND ALLIED
and)	WORKERS, LOCAL 996'S
)	MOTION TO DISMISS PETI-
MTL, INC.,)	TION FOR CERTIFICATION
)	OF COLLECTIVE BARGAINING
Employer,)	REPRESENTATIVE
)	
and)	
)	
HAWAII TEAMSTERS AND ALLIED)	
WORKERS, LOCAL 996,)	
)	
Intervenor.)	

ORDER GRANTING HAWAII TEAMSTERS AND ALLIED
WORKERS, LOCAL 996'S MOTION TO DISMISS PETITION FOR
CERTIFICATION OF COLLECTIVE BARGAINING REPRESENTATIVE

On October 7, 1991, the HAWAII TEAMSTERS AND ALLIED WORKERS, LOCAL 996 (LOCAL 996), filed a Motion to Dismiss Petition for Certification of Collective Bargaining Representative with the Hawaii Labor Relations Board (Board). LOCAL 996 contends that the petition should be dismissed on the following grounds:

1. CHAMBRELLA has no standing to bring the petition to certify LOCAL 996;
2. There is no basis in law for a certification absent an election;
3. LOCAL 996 is already certified as the exclusive representative of MTL employees; and


4. The doctrine of contract bar prevents MICHAEL CHAMBRELLA from seeking the representation rights of the unit.

No opposition was received to LOCAL 996's motion and no other parties to the proceeding appeared before the Board on the date of the hearing scheduled on this motion.


Based upon the consideration of the record and files in this case, the Board grants LOCAL 996's motion to dismiss on the basis that there is no basis in law for the Board to grant a certification without an election. This case is dismissed with prejudice.

DATED: Honolulu, Hawaii, October 24, 1991.

HAWAII LABOR RELATIONS BOARD


BERT M. TOMASU, Chairperson


GERALD K. MACHIDA, Board Member


RUSSELL T. HIGA, Board Member

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