

order

STATE OF HAWAII
HAWAII LABOR RELATIONS BOARD

In the Matter of)	CASE NO. CE-12-165
)	
WILLIAM (BILL) GILLESPIE,)	ORDER NO. 886
)	
Complainant,)	ORDER CONSOLIDATING CASES
)	FOR DISPOSITION, NOTICE
and)	OF PREHEARING CONFERENCE
)	AND HEARING ON PROHIBITED
FRANK F. FASI, Mayor of the)	PRACTICE COMPLAINT
City and County of Honolulu)	
and HONOLULU POLICE DEPARTMENT,)	
)	
Respondents.)	
)	

ORDER CONSOLIDATING CASES FOR
DISPOSITION, NOTICE OF PREHEARING CONFERENCE
AND HEARING ON PROHIBITED PRACTICE COMPLAINTS

On May 29, 1992, Complainant WILLIAM (BILL) GILLESPIE filed a prohibited practice complaint with the Hawaii Labor Relations Board (Board).

The Complainant alleges that Respondents FRANK F. FASI, Mayor of the City and County of Honolulu and the HONOLULU POLICE DEPARTMENT violated Subsections 89-13(a)(5), (6), (7) and (8), Hawaii Revised Statutes (HRS), by terminating him from his employment with the HONOLULU POLICE DEPARTMENT in violation of the Unit 12 Collective Bargaining Agreement (Agreement) - specifically Articles 4, 12, 13, 21, 28, 32 and 48. The Complainant also alleges that Respondents refused to participate in good faith in the mediation, fact-finding, and arbitration procedures set forth

in Section 89-11, HRS. Further, Complainant alleges that Respondents refused or failed to comply with the applicable provisions of Chapter 89, HRS.

Similarly, on May 29, 1992, Complainant filed a prohibited practice complaint against STATE OF HAWAII ORGANIZATION OF POLICE OFFICERS (SHOPO), alleging violations of Subsections 89-13(b)(1), (2), (3), (4) and (5), HRS. Complainant alleges that SHOPO refused to represent him through the grievance procedures stemming from his wrongful termination of employment in violation of Article 21 of the Agreement.

As these complaints involve substantially the same parties and issues, the Board finds that consolidation of the proceedings 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.

YOU ARE HEREBY NOTIFIED that the Board, pursuant to § 89-5(b)(4), HRS, and Administrative Rules § 12-42-47, will conduct a prehearing conference on the above-entitled prohibited practice complaints on July 2, 1992 at 9:00 a.m. in the Board's hearings room, Room 203, 550 Halekauwila Street, Honolulu, Hawaii. The purpose of the prehearing conference is to arrive at a settlement or clarification of issues, to identify and exchange witness and exhibit lists, if any, and to the extent possible, reach an agreement on facts, matters or procedures which will


facilitate and expedite the hearing or adjudication of the issues presented. The parties shall file a Prehearing Statement which includes the foregoing matters with the Board two days prior to the prehearing conference.

YOU ARE ALSO NOTIFIED that the Board will conduct a hearing, pursuant to §§ 89-5(b)(4) and 89-14, HRS, and Administrative Rules §§ 12-42-49 and 12-42-8(g) on the instant complaints on July 8, 1992 at 9:00 a.m. in the above-mentioned hearings room. The purpose of the hearing is to receive evidence and arguments on whether Respondents committed prohibited practices as alleged by the Complainant. The hearing may continue from day to day until completed.


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

DATED: Honolulu, Hawaii, June 17, 1992.

HAWAII LABOR RELATIONS BOARD


BERT M. TOMASU, Chairperson


GERALD K. MACHIDA, Board Member


RUSSELL T. HIGA, Board Member

Copies sent to:

William (Bill) Gillespie
Arnold Abe, Deputy Corporation Counsel
Joyce Najita, IRC