

STATE OF HAWAI'I

HAWAI'I LABOR RELATIONS BOARD

In the Matter of

HAWAII GOVERNMENT EMPLOYEES
ASSOCIATION, AFSCME, LOCAL 152,
AFL-CIO,

Complainant,

and

DAVID T. IGE, Governor, State of Hawai'i;
BRUCE ANDERSON, Ph.D., Director,
Department of Health, State of Hawai'i;
KEITH KAWAOKA, Deputy Director,
Environmental Health Administration,
Department of Health, State of Hawai'i;
LYNN NAKASONE, Administrator,
Environmental Health Services Division,
Department of Health, State of Hawai'i;
NANCY BARTTER, Administrative
Officer, Environmental Resources Office,
Department of Health, State of Hawai'i,

Respondents.

CASE NO. 17-CE-13-904

ORDER NO. 3645

ORDER GRANTING, IN PART,
RESPONDENT'S MOTION TO
EXTEND DUE DATE TO FILE AN
OPPOSITION TO COMPLAINANT'S
MOTION TO ENFORCE
SETTLEMENT AGREEMENT AND
FOR INTEREST AND CIVIL
PENALTIES, FILED ON AUGUST 28,
2020

ORDER GRANTING, IN PART, RESPONDENT'S MOTION TO EXTEND
DUE DATE TO FILE AN OPPOSITION TO THE COMPLAINANT'S
MOTION TO ENFORCE SETTLEMENT AGREEMENT AND FOR
INTEREST AND CIVIL PENALTIES, FILED ON AUGUST 28, 2020

Complainant HAWAII GOVERNMENT EMPLOYEES ASSOCIATION, AFSCME,
LOCAL 152 (HGEA) and Respondents DAVID T. IGE, Governor, State of Hawai'i; BRUCE
ANDERSON, Ph.D., Director, Department of Health, State of Hawai'i; KEITH KAWAOKA,
Deputy Director, Environmental Health Administration, Department of Health, State of Hawai'i;

LYNN NAKASONE, Administrator, Environmental Health Services Division, Department of Health, State of Hawai'i; NANCY BARTTER, Administrative Officer, Environmental Resources Office, Department of Health, State of Hawai'i (collectively Respondents) entered into a Settlement, Release and Indemnification Agreement on May 29, 2020 (SA).

On August 28, 2020, HGEA filed a motion to enforce the SA and for civil penalties and interest (Motion to Enforce).

Hawai'i Administrative Rules § 12-42-8(g)(3)(C)(iii) requires any response to a motion to be filed within five days after receipt of service.

Accordingly, any response to the Motion to Enforce is due on September 4, 2020.

Respondents filed a motion to extend the due date to file their opposition to the Motion to Enforce from September 3, 2020 to September 4, 2020 (Motion to Extend) because their counsel, Deputy Attorney General Nelson Nabeta, had a medical appointment scheduled on September 2, 2020, and HGEA's counsel did not object to the extension.

The Board grants, in part, the Motion to Extend because the extension requested is unnecessary. The due date for Respondents' opposition to the Motion to Enforce is **September 4, 2020**.

DATED: Honolulu, Hawai'i, _____ September 1, 2020 _____.

HAWAI'I LABOR RELATIONS BOARD



Thomas R. Oshiro

THOMAS R. OSHIRO, Chair

Resnita A. D. Moepono

RESNITA A.D. MOEPONO, Member

J. N. Musto

J. N. MUSTO, Member

Copies sent to:

Stacy Moniz, Representative, HGEA
Nelson Y. Nabeta, Deputy Attorney General