

STATE OF HAWAII

HAWAII LABOR RELATIONS BOARD

In the Matter of

HAWAII FIRE FIGHTERS ASSOCIATION,  
IAFF, LOCAL 1463, AFL-CIO,

Complainant,

and

KIRK CALDWELL, Mayor, City and County  
of Honolulu; MANUEL P. NEVES, Fire  
Chief, Honolulu Fire Department, City and  
County of Honolulu; HONOLULU FIRE  
DEPARTMENT, City and County of  
Honolulu; and CITY AND COUNTY OF  
HONOLULU,

Respondents.

CASE NO(S). 14-CE-11-845

ORDER NO. 3658

ORDER CLARIFYING BOARD ORDER  
NO. 3368 ON REMAND

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In the Matter of

HAWAII FIRE FIGHTERS ASSOCIATION,  
IAFF, LOCAL 1463, AFL-CIO,

Complainant,

and

KIRK CALDWELL, Mayor, City and County  
of Honolulu; MANUEL P. NEVES, Fire  
Chief, Honolulu Fire Department, City and  
County of Honolulu; HONOLULU FIRE  
DEPARTMENT, City and County of  
Honolulu; and CITY AND COUNTY OF  
HONOLULU,

Respondents.

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CASE NO(S). 16-CE-11-887

ORDER CLARIFYING BOARD ORDER NO. 3368 ON REMAND

On August 12, 2019, the Honorable James H. Ashford remanded this matter to the Hawai'i Labor Relations Board (Board) "to make a clear and unambiguous determination as to whether Appellee prevailed in Case No. 14-CE-11-845."

On February 3, 2020, Complainant HAWAII FIRE FIGHTERS ASSOCIATION, IAFF, LOCAL 1463, AFL-CIO (HFFA) filed a Motion to Set Briefing Schedule. Respondents KIRK CALDWELL, Mayor, City and County of Honolulu; MANUEL P. NEVES, Fire Chief, Honolulu Fire Department, City and County of Honolulu; HONOLULU FIRE DEPARTMENT, City and County of Honolulu; and CITY AND COUNTY OF HONOLULU (Respondents) filed a Statement of No Position on the Motion to Set Briefing Schedule on February 10, 2020.

HFFA filed a Second Motion to Set Briefing Schedule on July 31, 2020. Respondents did not file a response to the Second Motion to Set Briefing Schedule.

In accordance with the Court's order of remand, the Board hereby issues this order to clarify Board Order No. 3368, Final Order Adopting HFFA/IAFF Proposed Findings of Fact, Conclusion of Law, and Decision and Order; and Order Setting Deadlines Regarding Any Request for Attorney's Fees and Costs.

Following the final paragraph of page 12 of the Board's Order, the Board inserts the below Conclusion of Law:

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The consolidation of the cases allows the Board to consider the relevant facts and circumstances of the two cases together. The Board hereby finds that HFFA/IAFF is the prevailing party of the consolidated cases and that HFFA/IAFF's position as the prevailing party relies on the amalgamate of circumstances of the two cases, rather than on the circumstances of either case individually.

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Accordingly, the Board finds that HFFA's Motion to Set Briefing Schedule and Second Motion to Set Briefing Schedule are moot and denies the motions.

DATED: Honolulu, Hawai'i, \_\_\_\_\_ September 23, 2020 \_\_\_\_\_.

HAWAI'I LABOR RELATIONS BOARD



*Thomas R. Oshiro*

THOMAS R. OSHIRO, Chair

*Sesnita A. D. Moepono*

SESNITA A.D. MOEPONO, Member

*J. N. Musto*

J. N. MUSTO, Member

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HFFA v. CALDWELL, ET AL.

CASE NO(S). 14-CE-11-845 and 16-CE-11-887

ORDER CLARIFYING BOARD ORDER NO. 3368 ON REMAND

ORDER NO. 3658