

STATE OF HAWAI'I

HAWAI'I LABOR RELATIONS BOARD

In the Matter of

STACY K. PAIO; DAYTON YOSHIDA;
ERNEST SUGUITAN; SAMUEL KAE0;
DONNELL ADAMS; LONNIE A.
MERRITT; MITSUO NAKAMOTO;
ARDEN D. COSTALES; WALLACE
KAHAPEA; and EMOSI MANAIA SEVAO,

Complainants,

and

UNITED PUBLIC WORKERS, AFSCME,
LOCAL 646, AFL-CIO,

Respondent.

CASE NO. 16-CU-10-344

ORDER NO. 3597

ORDER AND NOTICE SETTING
DEADLINES AND HEARING ON
MOTION TO STAY ENFORCEMENT OF
DECISION NO. 497

In the Matter of

FERN KATHRYN WHEELESS,

Complainant,

and

UNITED PUBLIC WORKERS, AFSCME,
LOCAL 646, AFL-CIO,

Respondent.

CASE NO. 16-CU-10-345

ORDER AND NOTICE SETTING DEADLINES AND HEARING
ON MOTION TO STAY ENFORCEMENT OF DECISION NO. 497

On March 25, 2020, Respondent UNITED PUBLIC WORKERS, AFSCME, LOCAL 646, AFL-CIO (UPW) filed with the Hawai'i Labor Relations Board (Board) a Motion to Stay Enforcement of Decision No. 497 and the Errata, filed on March 4, 2020 and March 6, 2020

(Motion to Stay), pending an appeal filed by UPW on March 20, 2020 in Civil No. 1CCV-20-0000458 in the Circuit Court of the First Circuit.

Due to the current concerns regarding COVID-19, the Governor of the State of Hawai'i (Governor) issued an Emergency Proclamation on March 5, 2020, a Supplementary Emergency Proclamation on March 16, 2020, a Second Supplemental Proclamation on March 21, 2020, and a Third Supplementary Proclamation on March 23, 2020. These proclamations, among other things, gave agencies the ability to conduct certain hearings by telephone or video conference without the physical presence of the parties at the same location, and suspend certain rules, statutory requirements, and administrative hearing procedures as needed to deal with the emergency situation brought on by COVID-19. On March 17, 2020, the Governor further ordered all non-essential state workers to work remotely.

In the Governor's Third Supplementary Proclamation, the Governor, among other things, ordered that all persons in the State must stay at home or in their place of residence from March 25, 2020 at 12:01 a.m. through 11:59 p.m. on April 30, 2020.

ACCORDINGLY, NOTICE IS HEREBY GIVEN that the Board will hold a hearing on the Motion to Stay as follows:

DATE AND TIME: Tuesday, April 14, 2020 at 2:15 p.m.

LOCATION: Remote Telephonic Conference, or as otherwise ordered by the Board

Auxiliary aids and services are available upon request to the parties and representatives with disabilities. For TTY, dial 711, then ask for (808) 586-8616, the Hawaii Labor Relations Board. For any other reasonable accommodation, call the Board at (808) 586-8616.

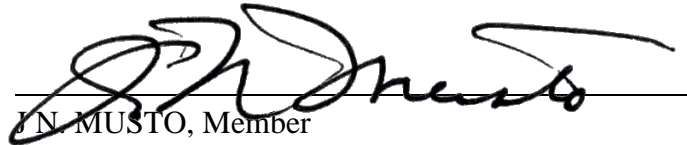
The Board orders that any Response to the Motion to Stay be filed **by Thursday, April 9, 2020 at 4:30 p.m. and that no filing of a Reply to that Response is permitted.**

DATED: Honolulu, Hawai'i, _____ April 2, 2020 _____.



R. OSHIRO, Chair


SESNITA A.D. MOEPONO, Member


J.N. MUSTO, Member

Copies sent to:

Ted H.S. Hong, Esq
Herbert R. Takahashi, Esq.

PAIO, ET AL. v. UPW; and WHEELLESS v. UPW
CASE NOS. 16-CU-10-344, 16-CU-10-345
ORDER AND NOTICE SETTING DEADLINES AND HEARING ON MOTION TO STAY
ENFORCEMENT OF DECISION NO. 497
ORDER NO. 3597