

STATE OF HAWAI'I

HAWAI'I LABOR RELATIONS BOARD

In the Matter of

HAWAII GOVERNMENT EMPLOYEES
ASSOCIATION (HGEA), AFSCME,
LOCAL 152, AFL-CIO,

Complainant,

and

DEPARTMENT OF HEALTH, State of
Hawai'i, and RUN HEIDELBERG, Hawai'i
State Hospital Administrator,

Respondents.

CASE NO(S). 20-CE-09-945

ORDER NO. 3604

ORDER FURTHER CONTINUING
DEADLINES FOR RESPONDENTS STATE
OF HAWAII, DEPARTMENT OF HEALTH
AND RUN HEIDELBERG, HAWAII
STATE HOSPITAL ADMINISTRATOR'S
RESPONSE TO THE PROHIBITED
PRACTICE COMPLAINT FILED ON
APRIL 20, 2020 AND TO WAIVE HAW.
REV. STAT. SECTION 377-9(b) AND
HAW. ADMIN. R. SECTION 12-42-46(b)

ORDER FURTHER CONTINUING DEADLINES FOR
RESPONDENTS DEPARTMENT OF HEALTH, STATE OF HAWAI'I,
AND RUN HEIDELBERG, HAWAI'I STATE HOSPITAL
ADMINISTRATOR'S RESPONSE TO THE PROHIBITED PRACTICE
COMPLAINT FILED ON APRIL 20, 2020 AND TO WAIVE
HAW. REV. STAT. SECTION 377-9(b) AND HAW. ADMIN. R. SECTION 12-42-46(b)

On April 20, 2020, HAWAII GOVERNMENT EMPLOYEES ASSOCIATION (HGEA), AFSCME, LOCAL 152, AFL-CIO (Complainant or HGEA) filed a prohibited practice complaint against DEPARTMENT OF HEALTH, State of Hawai'i, and RUN HEIDELBERG, Hawai'i State Hospital Administrator (collectively as Respondents or Employer and collectively with Complainant as Parties) with the Hawai'i Labor Relations Board (Board).

On April 30, 2020, the Employer filed a Stipulation and Order to Continue Deadlines for Respondents State of Hawai'i, Department of Health and Run Heidelberg, Hawai'i State Hospital Administrator's Response to the Prohibited Practice Complaint Filed on April 20, 2020 (Stipulation), signed by both HGEA's representative and Respondents' counsel. In the Stipulation, the Parties agreed to extend the time for Respondents to respond to the prohibited practice complaint, filed on April 20, 2020, and that the deadlines for the Employer to file a Motion for a

Particularization of the Complaint and to file an Answer be continued to the end of business day on May 13, 2020.

On May 1, 2020, the Board issued Order No. 3601 Continuing Deadlines for Respondents Department of Health, State of Hawai‘i, and Run Heidelberg, Hawai‘i State Hospital Administrator’s Response to the Prohibited Practice Complaint Filed on April 20, 2020, which, among other things, ordered that the deadlines for Respondents to file a Motion for Particularization of the Complaint and to file an Answer be continued to the end of business of May 13, 2020.

On May 13, 2020, Employer filed Stipulation and Order to Further Continue Deadlines for Respondents State of Hawaii, Department of Health and Run Heidelberg, Hawaii State Hospital Administrator’s Response to the Prohibited Practice Complaint Filed on April 20, 2020 and to Waive Haw. Rev. Stat. Section 377-9(b) and Haw. Admin. R. Section 12-42-46(b) (Second Stipulation). In this Second Stipulation, the Parties stipulated and agreed, among other things, to further extend the deadline for Respondents to file a Motion for Particularization of the Complaint (Motion for Particularization) and the deadline to file an Answer from May 13, 2020 to June 15, 2020 and to waive the requirement set forth in Hawai‘i Revised Statutes Section 377-9(b) and Hawai‘i Administrative Rules Section 12-42-46(b) that the hearing on the merits “be held no less than ten and not more than forty days after the filing of the Complainant or amendment thereof.” The Second Stipulation was based on the parties’ commencement of settlement negotiations.

Based on the Second Stipulation, the Board orders that the deadlines for the Employer to file a Motion for Particularization and to file an Answer be continued to the **end of business on June 15, 2020.**

DATED: Honolulu, Hawai‘i, _____ May 13, 2020 _____.



HAWAII LABOR RELATIONS BOARD

Shiro

SHIRO, Chair

Senita A. D. Moepono

SENITA A.D. MOEPONO, Member

J.N. Musto

J.N. MUSTO, Member

Copies to:

Stacy Moniz, HGEA

Amanda Furman, Deputy Attorney General

HGEA v. DOH and HEIDELBERG

CASE NO. 20-CE-09-945

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HAWAII, DEPARTMENT OF HEALTH AND RUN HEIDELBERG, HAWAII STATE
HOSPITAL ADMINISTRATOR'S RESPONSE TO THE PROHIBITED PRACTICE
COMPLAINT FILED ON APRIL 20, 2020 AND TO WAIVE HAW. REV. STAT. SECTION
377-9(b) AND HAW. ADMIN. R. SECTION 12-42-46(b)
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