

STATE OF HAWAI'I

HAWAI'I LABOR RELATIONS BOARD

In the Matter of

UNIVERSITY OF HAWAI'I
PROFESSIONAL ASSEMBLY,

Exclusive Representative,

and

DAVID Y. IGE, Governor, State of Hawai'i;
BOARD OF REGENTS, University of
Hawai'i; and DAVID LASSNER, President,
University of Hawai'i,

Employers(s).

CASE NO(S). 21-I-07-185

ORDER NO. 3694

ORDER DECLARING IMPASSE

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Hawai'i Revised Statutes (HRS) § 89-11(c)(2) provides in relevant part that “[i]f neither party gives written notice of an impasse and there are unresolved issues on January 31 of a year in which the agreement is due to expire,” the Hawai'i Labor Relations Board (Board) “shall declare on January 31 that an impasse exists and February 1 shall be the date of impasse.”

Upon information and belief, the Board finds that the collective bargaining agreement (Agreement) for Unit 07, consisting of faculty of the University of Hawai'i and the community college system, will expire as of June 30, 2021. The parties have not given written notice of the impasse. Further, the parties have not notified the Board that an agreement has been reached. Therefore, the Board believes that there are unresolved issues between the parties. Accordingly, the Board hereby declares IMPASSE in this matter pursuant to HRS § 89-11(c)(2), and February 1, 2021 is hereby deemed the date of impasse.

Pursuant to HRS § 89-11(d)(1), during the first twenty days of the date of impasse, either party may request the Board to assist in a voluntary resolution of the impasse by appointing a mediator or mediators. Pursuant to HRS § 89-11(d)(2), if the impasse continues more than twenty days, the Board shall appoint a mediator or mediators to assist in resolution of the impasse; the Board may compel the parties to attend mediation, reasonable in time and

frequency, until the fiftieth day of impasse; thereafter, mediation shall be elective with the parties, subject to the approval of the Board.

The parties are further notified that, pursuant to HRS § 89-11(d)(3), the parties shall promptly provide the Board with the following information as applicable:

- (A) The date of any tentative agreement and whether the terms thereof are confidential between the parties;
- (B) The ratification or failure of ratification of a tentative agreement;
- (C) The signing of a tentative agreement;
- (D) The terms of a tentative agreement; or
- (E) On or about the fiftieth day of impasse, the failure of mediation.

In the event the parties enter into an Alternate Impasse Procedure (Procedure) pursuant to HRS § 89-11(a), the parties shall immediately notify the Board and file a copy of such Procedure with the Board.

DATED: Honolulu, Hawai'i, February 5, 2021.

HAWAI'I LABOR RELATIONS BOARD




MARCUS R. OSHIRO, Chair





ESNITA A.D. MOEPONO, Member



JON MUSTO, Member

UHPA v. IGE, et al.
Case No. 21-I-07-185
Order No.3694

Copies sent to:

Christian L. Fern, Executive Director, University of Hawai'i Professional Assembly
The Honorable David Y. Ige, Governor, State of Hawai'i
Board of Regents, University of Hawai'i
David Lassner, Ph.D. President, University of Hawai'i
Ryker Wada, Director, Department of Human Resources Development
Kimberly Hashiro, Assoc. System Director of Human Resources, UH
Sarah Hirakami, Director of Collective Bargaining and Employee Relations, UH