

STATE OF HAWAI'I

HAWAI'I LABOR RELATIONS BOARD

In the Matter of

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

Exclusive Representative,

and

DAVID Y. IGE, Governor, State of Hawai'i;
KIRK CALDWELL, Mayor, City and County
of Honolulu; HARRY KIM, Mayor, County
of Hawai'i; MICHAEL VICTORINOⁱ,
Mayor, County of Maui; DEREK
KAWAKAMIⁱⁱ, Mayor, County of Kaua'i;
MARK E. RECKTENWALD, Chief Justice,
the Judiciary, State of Hawai'i; and BOARD
OF DIRECTORS, Hawai'i Health Systems
Corporation,

Employers.

CASE NO.: 18-I-02-178

ORDER NO. 3458

ORDER APPOINTING NEUTRAL
ARBITRATOR AND CHAIRPERSON

ORDER APPOINTING NEUTRAL ARBITRATOR AND CHAIRPERSON

By letter, dated February 4, 2019, Exclusive Representative HAWAII GOVERNMENT EMPLOYEES ASSOCIATION, AFSCME, LOCAL 152, AFL-CIO and Ryker Wada, Chief Negotiator, Office of Collective Bargaining, State of Hawai'i, representing the Employer group (State of Hawai'i; the City and County of Honolulu; the Counties of Hawai'i, Maui, and Kaua'i; the Judiciary; and the Hawai'i Health Systems Corporation) jointly notified the Hawai'i Labor Relations Board (Board) that they agreed to the selection of EDWIN H. BENN, ESQ. as the neutral Chair for the resolution of the impasse in the bargaining unit 02 negotiations, affecting supervisory employees in blue collar positions.

Accordingly, the Board hereby appoints EDWIN H. BENN, ESQ. as the neutral arbitrator and chairperson of the arbitration panel, and he shall have such authority and duties as conferred by law.

The Board will certify the remaining members of the panel and confer such authority and duties upon the panel upon submission by the parties of their selections for the other two members of the arbitration panel in accordance with Hawai'i Revised Statutes § 89-11(e)(2)(A).

DATED: Honolulu, Hawai'i, February 6, 2019.

HAWAII' I LABOR RELATIONS BOARD



Marcus Oshiro

MARCUS OSHIRO, Chair

Sesnita A. D. Moepono

SESNITA A.D. MOEPONO, Member

IN. Musto

IN. MUSTO, Member

Copy to:

Randy Perreira, HGEA Executive Director
Michelle Mitra, HGEA, Maui Division Chief
The Honorable David Y. Ige, Governor, State of Hawai'i
The Honorable Kirk Caldwell, Mayor, City and County of Honolulu
The Honorable Harry Kim, Mayor, County of Hawai'i
The Honorable Michael Victorino, Mayor, County of Maui
The Honorable Derek Kawakami, Mayor, County of Kaua'i
The Honorable Mark E. Recktenwald, Chief Justice, the Judiciary, State of Hawai'i
The Honorable Dr. Linda Rosen, Chief Executive Officer, Hawai'i Health Systems Corporation
Ryker Wada, Chief Negotiator, Office of Collective Bargaining, State of Hawai'i
Carolee Kubo, Director, DHR, City and County of Honolulu
William V. Brillhante, Jr., Director, DHR, County of Hawai'i
David Underwood, Director, DPS, County of Maui
Janine Rapozo, Director, DHR, County of Kaua'i
Dee Wakabayashi, Personnel Director, Judiciary, State of Hawai'i
Juanita Lauti, Chief Human Resource Officer, Hawai'i Health Systems Corporation
Edwin H. Benn, Esq., Neutral Arbitrator and Chairperson

ⁱ The Hawai'i Labor Relations Board has applied the Hawai'i Rules of Civil Procedure (HRCP) where its administrative rules are silent. Dep't of Safety, State of Hawaii v. United Public Workers, AFSCME, Local 646, AFL-CIO, Board Case No, CU-10-322, Order No. 2944 at *2 n. 2 (2013). HRCP Rule 25(d)(1) provides that when a public officer is a party to an action in an official capacity and, while that action is pending, the public officer dies, resigns, or otherwise ceases to hold office, the officer's successor is automatically substituted as a party. Proceedings following the substitution shall be in the name of the substituted party, but any misnomer that does not affect the substantial rights of the parties will be disregarded.

ⁱⁱ *See* Endnote 1, *supra*.