

STATE OF HAWAI'I
HAWAI'I LABOR RELATIONS BOARD

In the Matter of

CURT TOKUNAGA,

Complainant,

and

UNITED PUBLIC WORKERS;
DAYTON NAKANELUA, State Director,
UPW; MELANIE SAITO, Maui Division
Director, UPW; JULIE MIYAGAWA,
Business Agent, UPW,

Respondents.

CASE NO. 18-CU-10-367

ORDER NO. 3472

ORDER GRANTING RESPONDENT
UNITED PUBLIC WORKERS'
MOTION TO RESCHEDULE
HEARING

**ORDER GRANTING RESPONDENT
UNITED PUBLIC WORKERS' MOTION TO RESCHEDULE HEARING**

On October 18, 2018, Complainant CURT TOKUNAGA, self-represented litigant (SRL) (Complainant), filed a prohibited practice complaint (Complaint) with the Hawai'i Labor Relations Board (Board) against Respondents UNITED PUBLIC WORKERS (UPW); DAYTON NAKANELUA, State Director, UPW; MELANIE SAITO, Maui Division Director, UPW; and JULIE MIYAGAWA, Business Agent, UPW (collectively, Respondents).

On October 24, 2018, the Board issued Order No. 3411 Pretrial Order and Notices; (1) Notice to Respondent(s) of Prohibited Practice Complaint; (2) Notice Regarding Protection of Social Security Numbers and Personal Information; (3) Notice of Prehearing Conference; (4) Notice of Pretrial Conference; (5) Notice of Hearing on the Merits; and (6) Schedule of Hearings, Conferences and Deadlines Order No. 3411).

On February 20, 2019, the Board issued Order No. 3411A Amended Pretrial Order and Amended Notices; Amended Schedule of Deadlines and Hearing Dates. On February 27, 2019, the Board issued Order No. 3411A2, Order and Notice Amending Deadlines and Hearing Dates.

On March 7, 2019, Respondents filed RESPONDENT UNITED PUBLIC WORKERS' MOTION TO RESCHEDULE HEARING (Motion to Reschedule) with the Board. Respondents move to reschedule the previously scheduled Hearing on the Merits (HOM) set for April 8, 2019 through April 12, 2019 due to scheduling conflicts, including Respondents' counsel's representation of another client in a previously scheduled trial.

The Board's procedural rules Hawai'i Administrative Rule § 12-42-8(g)(3)(C)(iii) permit a party to respond to a motion within five days after service of the motion papers, unless the board directs otherwise.

However, the Board did not receive a response or a request for leave to extend that time to respond to the Motion to Reschedule from Complainant within the five days under the rule.

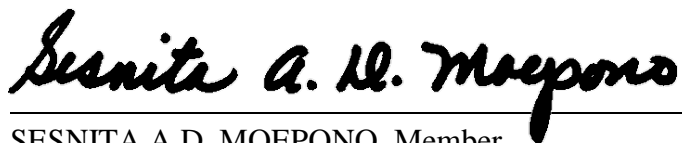
Accordingly, based on the foregoing and for good cause shown, the Board hereby grants the Motion to Reschedule. All remaining deadlines and hearing dates set forth in Board Order No. 3411 Pretrial Order and Notices, as amended, are suspended until further notice. The Board will issue an amended Pretrial Order setting forth new deadlines and hearing dates.

DATED: Honolulu, Hawai'i, _____ March 15, 2019 _____.

HAWAI'I LABOR RELATIONS BOARD



MARCUS R. OSHIRO, Chair



SESNITA A.D. MOEPONO, Member



J.N. MUSTO, Member



Copies sent to:

Curt Tokunaga, SRL

Lowell K.Y. Chun-Hoon, Esq.