

HAWAI'I LABOR RELATIONS BOARD

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RELATIONS BOARD

In the Matter of

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

Complainant,

and

RYKER WADA, Director,  
Department of Human Resources,  
State of Hawai'i; DAVID Y. IGE,  
Governor, State of Hawai'i; and  
NOLAN ESPINDA, Director,  
Department of Public Safety, State  
of Hawai'i,

Respondents.

CASE NOS. CE-01-720a  
CE-10-720b

ORDER NO. 3503

ORDER GRANTING  
COMPLAINANT'S MOTION TO  
EXTEND DEADLINE FOR THE  
SUBMISSION OF STATEMENT OF  
CLARIFICATION OF REMAINING  
ISSUES AND PROVIDE  
INFORMATION REGARDING  
STATUS OF THIS CASE

ORDER GRANTING COMPLAINANT'S MOTION TO EXTEND DEADLINE  
FOR THE SUBMISSION OF STATEMENT OF CLARIFICATION OF REMAINING  
ISSUES AND PROVIDE INFORMATION REGARDING STATUS OF THE CASE

On April 30, 2019, the Hawai'i Labor Relations Board (Board) issued Order No. 3494 Requiring Parties to Submit Statement of Clarification of Remaining Issues and Provide Information Regarding Status of this Case (Statement of Clarification) in the above-entitled case, which, among other things, ordered that "...for the purposes of clarification and efficiency of the hearing process, prior to setting new dates for the HOM and the deadlines, the Board requires and orders a Statement of Clarification of Remaining Issues and Information Regarding Case Status (Statement) from each of the parties." The Board further established the following deadlines:

The UPW is to file and serve upon Respondents its Statement by May 31, 2019. Upon receipt of UPW's Statement, the Respondents have 30 days to file their Statement in response.

On May 14, 2019, Complainant UNITED PUBLIC WORKERS, AFSCME, Local 646, AFL-CIO (UPW) filed Complainant's Motion to Extend Deadline for the Submission of Statement of Clarification of Remaining Issues and to Provide Information Regarding Status of the Case (Motion to Extend). In the Motion to Extend, UPW moved to extend the deadline for submission of the Statement of Clarification for a period of thirty days from May 31, 2019 to and including July 1, 2019. In his Declaration in support of the Motion to Extend (Takahashi Declaration), UPW's counsel Mr. Herbert Takahashi declared that: the request for the 30-day extension is based on unanticipated scheduling conflicts and the filing of the motion to consolidate proceedings and hearings in this case with another Board Case No. CE-01-720a and CE-10-720b; he transmitted a letter to the attorney for Respondents Jeffrey Keating (Keating) requesting the extension (*See* Motion, Attachment 2); and Keating indicated that both he and Richard Thomason, the lead attorney on issues related to the Walter Ikeda mediation (which was referenced in the Statement of Clarification), had no objection to the requested extension (*See* Motion, Attachment 3). In the letter to Mr. Keating, Mr. Takahashi further acknowledged that, "Of course, the continuance would also extend the deadline for the employer's subsequent filing." (*See* Motion, Attachment 3). Mr. Keating's letter stated, however, that he is scheduled to be on vacation during the last week of July 2019 and the first week of August 2019, so "we would request that the Respondents response be due...August 30, 2019."

Based on the Motion to Extend and the Takahashi Declaration and Attachments thereto setting forth the grounds for the Motion, the Board will grant the Motion to Extend.

#### ORDER

The Board grants the Motion to Extend the deadline for submission of UPW's Statement of Clarification. Accordingly, the Board orders that:

1. UPW shall submit its Statement of Clarification by July 1, 2019 at 4:30 p.m.;  
and
2. Respondents RYKER WADA Director, Department of Human Resources, State of Hawai'i; DAVID Y. IGE, Governor, State of Hawai'i; and NOLAN ESPINDA, Director, Department of Public Safety, State of Hawai'i, shall submit their Statement of Clarification by August 30, 2019 at 4:30 p.m.

DATED: Honolulu, Hawai'i, May 15, 2019.

HAWAII LABOR RELATIONS BOARD



MARCUS R. OSHIRO, Chair



SESNITA A.D. MOEPONO, Member

EXCUSED

J N. MUSTO, Member

Copies sent to:  
Herbert R. Takahashi, Esq.  
Jeffrey A. Keating, Deputy Attorney General

UPW v. WADA, et al.  
CASE NO. CE-01-720A, CE-10-720b  
ORDER GRANTING COMPLAINANT'S MOTION TO EXTEND DEADLINE FOR THE  
SUBMISSION OF STATEMENT OF CLARIFICATION OF REMAINING ISSUES AND  
PROVIDE INFORMATION REGARDING STATUS OF THIS CASE  
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