

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
VICTORINO, Mayor, County of Maui;
DEREK KAWAKAMI, 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. 3512

SECOND ORDER APPOINTING
NEUTRAL ARBITRATOR AND
CHAIRPERSON

SECOND ORDER APPOINTING NEUTRAL ARBITRATOR AND CHAIRPERSON

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

On February 6, 2019, in accordance with Hawai'i Revised Statutes (HRS) § 89-11(e)(2)(A), the Board issued Order No. 3458, Appointing Neutral Arbitrator and Chairperson, appointing Benn to serve as the neutral arbitrator and chairperson of the arbitration panel.

However, by letter dated April 29, 2019, HGEA and the Employer Group jointly notified the Board that Benn declined to serve as the neutral Chair due to concerns regarding travel. Additionally, the parties' second selection, Gary Galton, also declined to serve as the neutral Chair. Therefore, the parties requested that the Board obtain a second list of qualified arbitrators from the American Arbitration Association (AAA).

By letter dated May 3, 2019, the Board notified the parties that, as the Board previously fulfilled its responsibility to obtain a list of five qualified arbitrators under HRS § 89-11(e)(2)(A), the parties should request any additional lists of five qualified arbitrators directly from AAA.

By letter dated June 4, 2019, HGEA and the Employer Group jointly notified the Board of their agreement to the selection of GARY L. AXON, 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 GARY L. AXON, 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 HRS § 89-11(e)(2)(A).

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

HAWAI'I LABOR RELATIONS BOARD



Marcus R. Oshiro

MARCUS R. OSHIRO, Chair

Sesnita A. D. Moepono

SESNITA A.D. MOEPONO, Member

J.N. Musto

J.N. MUSTO, Member

Copies sent 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
Sarah Hirakami, Director of Collective Bargaining & Employee Relations, University of Hawai‘i

HGEA v. IGE, et al., CASE NO. 18-I-02-178
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