

STATE OF HAWAII

HAWAII LABOR RELATIONS BOARD

In the Matter of

HAWAII GOVERNMENT EMPLOYEES
ASSOCIATION,

Complainant,

and

MAUI POLICE DEPARTMENT, County
of Maui,

Respondent.

CASE NO(S). 19-CE-03-932a
 19-CE-04-932b
 19-CE-13-932c

ORDER NO. 3549

ORDER GRANTING WAIVER OF THE 40-DAY HEARING ON THE MERITS OF THE PROHIBITED PRACTICE COMPLAINT AND HOLDING THE PROCEEDINGS IN ABEYANCE, INCLUDING CONTINUING THE HEARING ON THE MERITS, UNTIL MOVED ON BY THE PARTIES; NOTICE OF STATUS CONFERENCE

ORDER GRANTING WAIVER OF THE 40-DAY HEARING ON THE MERITS OF THE PROHIBITED PRACTICE COMPLAINT AND HOLDING THE PROCEEDINGS IN ABEYANCE, INCLUDING CONTINUING THE HEARING ON THE MERITS, UNTIL MOVED ON BY THE PARTIES; NOTICE OF STATUS CONFERENCE

On August 15, 2019, Complainant HAWAII GOVERNMENT EMPLOYEES ASSOCIATION (Complainant or HGEA) filed with Hawai'i Labor Relations Board (Board) a Stipulation to Waive 40-Day Hearing on the Merits and Stay Matters Until Moved On (Stipulation), signed by Advocacy Chief Stacy Moniz on behalf of HGEA and by Deputy Corporation Counsel Thomas W. Kolbe on behalf of Respondent MAUI POLICE DEPARTMENT, County of Maui (Respondent and collectively with Complainant as Parties), attached to this Order as Exhibit A. According to the Stipulation, the Parties agreed, in order to pursue possible settlement through formal consultation/negotiation, to waive the 40-day hearing deadline set forth in Hawai'i Administrative Rules (HAR) § 12-42-46 and stay the proceedings until moved on. The Parties further requested that the currently scheduled date for the hearing on the merits (HOM) on September 6, 2019 be maintained for the purpose of a status conference.

Based on the Stipulation, the Board grants the request by the Parties to waive the requirements of Hawai'i Revised Statutes § 377-9(b) and HAR § 12-42-46(b), mandating a hearing

on the merits within 40-days. The Board further holds the proceedings in abeyance, including continuing the HOM, until moved on by the Parties. The Board further issues the following Notice of Status Conference.

NOTICE OF STATUS CONFERENCE

NOTICE IS HEREBY GIVEN that the Board will hold a Status Conference on Friday, September 6, 2019 at 10:00 a.m. in the Board Hearings Room; 830 Punchbowl Street, Room 434; Honolulu, Hawai‘i.

All parties have the right to appear in person and to be represented by counsel or any other authorized person in all Board proceedings. Auxiliary aids and services are available upon request to the parties and representatives with disabilities. For TTY, dial 711, then ask for (808) 586-8616, the Hawai‘i Labor Relations Board, within seven (7) days prior to a Board proceeding. For any other accommodation, including language access, please call the Board at (808) 586-8616, at least seven (7) days prior to a Board proceeding.

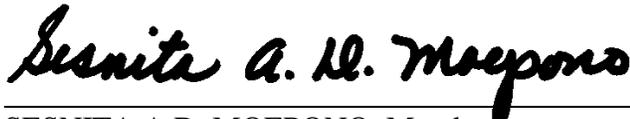
The parties should be aware that the Board is in a secured State of Hawai‘i building and that any party, representative, counsel, or other person attending a proceeding will need to present a government-issued identification for entry.

DATED: Honolulu, Hawai‘i, August 19, 2019.

HAWAI‘I LABOR RELATIONS BOARD



MARCUS R. OSHIRO, Chair



SENITA A.D. MOEPONO, Member



EXCUSED

J N. MUSTO, Member

Copies sent to:
Stacy Moniz
Thomas Kolbe, Corporation Counsel



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Representative for Complainant
 Hawaii Government Employees Association
 AFSCME Local 152, AFL-CIO

STATE OF HAWAII

HAWAII LABOR RELATIONS BOARD

In the Matter of)	CASE NO(S):	19-CE-03-932a
)		19-CE-03-932b
HAWAII GOVERNMENT EMPLOYEES)		19-CE-03-932c
ASSOCIATION, AFSCME LOCAL 152,)		
AFL-CIO,)	STIPULATION TO WAIVE 40 DAY	
)	HEARING DEADLINE AND STAY	
Complainant,)	MATTERS UNTIL MOVED UPON	
)		
and)		
)		
MAUI POLICE DEPARTMENT, County)		
of Maui,)		
)		
Respondent.)		
)		
)		
)		

STIPULATION TO WAIVE 40 DAY HEARING DEADLINE AND STAY
MATTERS UNTIL MOVED UPON

In order to pursue a possible settlement of this dispute through formal consultation/negotiation, the above-referenced Parties, by and through their undersigned representatives, hereby stipulate and agree to waive the 40 day hearing deadline set forth in HAR Section 12-42-46, and to stay the above-referenced matter until moved upon. The Parties also request that the currently scheduled date for the hearing on the merits for this matter (namely

EXHIBIT "A"

September 6, 2019 at 10:00 a.m.) be converted to a status conference.

DATED: Honolulu, Hawaii, August 15, 2019.

/s/ STACY MONIZ
Advocacy Chief

Representative for Complainant

HAWAII GOVERNMENT EMPLOYEES
ASSOCIATION, AFSCME LOCAL 152
AFL-CIO

/s/ THOMAS W. KOLBE
Deputy Corporation Counsel

Attorney for Respondent

MAUI POLICE DEPARTMENT
County of Maui

APPROVED AND SO ORDERED BY
THE HAWAII LABOR RELATIONS
BOARD:

Order No. _____
Dated: _____

MARCUS R. OSHIRO, Chair

SESNITA A.D. MOEPONO, Member

J. N. MUSTO, Member