

STATE OF HAWAI'I

HAWAI'I LABOR RELATIONS BOARD

In the Matter of

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

Complainant(s),

and

DEPARTMENT OF EDUCATION, State of
Hawai'i; and CHRISTINA M. KISHIMOTO,
Superintendent, Department of Education,
State of Hawai'i,

Respondent(s).

CASE NO(S). 20-CE-06-949

ORDER NO. 3784

ORDER HOLDING CASE IN ABEYANCE
AND DIRECTING THE PARTIES TO
PROVIDE STATUS UPDATES TO THE
BOARD

**ORDER HOLDING CASE IN ABEYANCE AND
DIRECTING THE PARTIES TO PROVIDE STATUS UPDATES TO THE BOARD**

At the pretrial conference held by the Hawai'i Labor Relations Board (Board) on April 19, 2021, the parties agreed that the facts in this case could be stipulated to and this case could be submitted to the Board for decision making based on briefs, rather than holding a hearing on the merits (HOM), and requested the Board's permission to submit a stipulated statement of facts and issues. The Board granted this request the same day and set a deadline for such stipulation to be filed with the Board.

The parties requested multiple continuances of that deadline. By Order No. 3767, the Board ordered the parties to submit the stipulation to the Board by July 16, 2021 and further noticed a status Conference for July 23, 2021 to address the stipulated statement of facts and issues submitted, define the issues to be briefed, and setting a briefing schedule.

On July 16, 2021, Complainant HAWAII GOVERNMENT EMPLOYEES ASSOCIATION, AFSCME, LOCAL 152, AFL-CIO (HGEA) submitted a proposed statement of stipulated facts, allegedly signed by both HGEA's representative and Respondent DEPARTMENT OF EDUCATION, State of Hawai'i; and CHRISTINA M. KISHIMOTO,

Superintendent, Department of Education, State of Hawai‘i’s (collectively, Respondents) counsel.

At the status conference on July 23, 2021, Respondents’ counsel disputed that he agreed to HGEA’s proposed statement of stipulated facts and enumerated several issues he had with the proposed statement.

Upon further discussion, the parties informed the Board that the two underlying grievances are currently proceeding to arbitration, and arbitrators have been selected.

Accordingly, the Board hereby holds this case in abeyance until such time as the arbitrations are completed. The Board further orders that the parties inform the Board when the arbitrations are completed.

DATED: Honolulu, Hawai‘i, July 26, 2021.

HAWAI‘I LABOR RELATIONS BOARD

MARCUS R. OSHIRO, Chair

SESNITA A.D. MOEPONO, Member

J N. MUSTO, Member

Copies sent to:

Stacy Moniz, HGEA
James Halvorson, Deputy Attorney General