

STATE OF HAWAI'I  
HAWAI'I LABOR RELATIONS BOARD

In the Matter of

ERIN K. KUSUMOTO,

Complainant(s),

and

HAWAII GOVERNMENT EMPLOYEES  
ASSOCIATION, AFSCME, LOCAL 152,  
AFL-CIO; and DEPARTMENT OF  
EDUCATION, State of Hawai'i,

Respondent(s).

CASE NO(S). 20-CU-06-379  
20-CE-06-940

ORDER NO. 3860

MINUTE ORDER

**MINUTE ORDER**

**1. Introduction**

The Hawai'i Labor Relations Board (Board) held a hearing on the merits (HOM) on June 22, 2022. During the HOM, Complainant ERIN K. KUSUMOTO (Complainant or Kusumoto) concluded and rested her case-in-chief. Respondent HAWAII GOVERNMENT EMPLOYEES ASSOCIATION, AFSCME, LOCAL 152, AFL-CIO (HGEA or Union) informed the Board that it did not intend to call any witnesses.

Respondent DEPARTMENT OF EDUCATION, State of Hawai'i (DOE or Employer and collectively with HGEA, Respondents) previously informed the Board that it did not intend to call any witnesses.

Because Complainant has rested her case-in-chief and the Respondents are not presenting cases in response to Complainant's case-in-chief, the Board closed the HOM. The Board indicated to the parties that the remaining issues involve the confirmation of which exhibits have been introduced and which have been entered into the record and the submission of post-hearing briefs.

**2. Order Regarding Exhibits**

The Board orders that each party submit a list of their own exhibits and indicate whether they have been introduced and if they have been entered into the record. The parties may use a form substantially like the Minutes issued in this case on July 22, 2021 or may present the information in another form.

This list must be submitted on or by **June 24, 2022 at 4:30 p.m.**

After receiving the lists, if any of the parties object to the exhibits listed by another party, such objections must be submitted on or by **June 30, 2022 at 4:30 p.m.**

After receiving the lists and any objections, the Board will issue its final list of exhibits that have been introduced and which have been entered into the record.

**3. Order Regarding Post-Hearing Briefs**

The Board further orders that the parties submit simultaneous post-hearing briefs on or by **September 12, 2022 at 4:30 p.m.**

Post-hearing briefs must not exceed 25 pages in length, exclusive of table of contents, table of authorities, declarations, exhibits, and other attachments.

If the post-hearing brief exceeds 10 pages, it must have a table of contents and a table of authorities.

Exhibits to post-hearing briefs may not include statutes; Board Orders or Decisions; publicly accessible court cases; or prior filings in the instant case, including exhibits presented in prior filings including copies of the transcripts. Statutes, Board Orders and Decisions, court cases, and prior filings may be referenced in the post-hearing briefs appropriately.

DATED: Honolulu, Hawai‘i, June 22, 2022.

HAWAI‘I LABOR RELATIONS BOARD

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MARCUS R. OSHIRO, Chair

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J N. MUSTO, Member

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MIDORI K. HIRAI, Temporary Acting Member

Copies sent to:

Miles Miyamoto, Esq.

Peter Liholiho Trask, Esq.

Miriam Loui, Deputy Attorney General

KUSUMOTO v. HGEA and DOE

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