

STATE OF HAWAI'I

HAWAI'I LABOR RELATIONS BOARD

In the Matter of

UNIVERSITY OF HAWAII
PROFESSIONAL ASSEMBLY,

Complainant(s),

and

BOARD OF REGENTS, University of
Hawai'i,

Respondent(s).

CASE NO(S). 22-CE-07-968

ORDER NO. 3875

PRETRIAL CONFERENCE MINUTE
ORDER

PRETRIAL CONFERENCE MINUTE ORDER

The Hawai'i Labor Relations Board (Board) held a pretrial conference on July 21, 2022 to, among other things, consider the proposed witness and exhibit lists submitted by the parties.

The parties indicated that they were working on stipulated facts and will submit them to the Board in a pleading prior to the beginning of the hearing on the merits (HOM). Further, the parties indicated that they would not retain a court reporter; therefore, the official record of the HOM will be the Zoom recording.

After discussion of the proposed exhibit lists, the parties agreed to submit thirty joint exhibits, previously listed as Respondent BOARD OF REGENTS, University of Hawai'i's (UH or Employer) proposed exhibits 2-29 and Complainant UNIVERSITY OF HAWAII PROFESSIONAL ASSEMBLY's (UHPA or Union) proposed exhibit H.

The Board further took judicial notice of S. Journal, 29th Leg. S.C. Rep. 2980-18 (Haw. 2018), UHPA's proposed exhibit I.

The Board ordered that UH submit the joint exhibit list and the joint exhibits, properly bates-stamped as required by Order No. 3865. The joint exhibits will be considered admitted into the record upon filing.

The Board further ordered that UHPA submit an amended exhibit list of their six proposed exhibits not included in the joint exhibit list and its six proposed exhibits, properly bates-stamped as required by Order No. 3865.

The Board further ordered that UH submit an amended exhibit list of their two proposed exhibits not included on the joint exhibit list and its two proposed exhibits, properly bates-stamped as required by Order No. 3865.

These exhibit lists, joint exhibits, and proposed exhibits must be filed with or submitted to the Board on or by July 28, 2022 at 4:30 p.m.

UHPA indicated that it intends to call Wade Zukeran, Esq. (Mr. Zukeran) as its first witness; however, if necessary, it will call Dwight Takeno, UHPA Associate Executive Director (Mr. Takeno) as its first witness. Neither party had any additional witnesses to be called.

UH declined to conduct direct examination on Mr. Zukeran and Mr. Takeno when they are called by UHPA; however, UH reserved the right to call them if UH puts on a case in response to UHPA's case.

UHPA informed the Board that Mr. Zukeran will be UHPA's representative at the HOM, and UH informed the Board that Sarah Hirakami, Director of Collective Bargaining & Employee Relations for UH (Ms. Hirakami) will be UH's representative at the HOM.

Other than the parties' representatives, Mr. Zukeran and Ms. Hirakami, the witness exclusion rule is in effect.

The HOM will be held on August 3, 2022 at 9:00 a.m. until approximately 4:00 p.m. and will resume on August 4, 2022 at 9:00 a.m.

DATED: Honolulu, Hawai'i, July 21, 2022.

HAWAI'I LABOR RELATIONS BOARD

EXCUSED

MARCUS R. OSHIRO, Chair

SESNITA A.D. MOEPONO, Member

J N. MUSTO, Member

Copies sent to:

David Sgan, Esq.

Elisabeth Contrades, Associate General Counsel

UHPA v. BOR

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