

HAWAII LABOR RELATIONS BOARD

**ANNUAL REPORT TO
THE HONORABLE LINDA LINGLE
GOVERNOR OF THE STATE OF HAWAII**

2007-2008

PRESENTED BY THE HAWAII LABOR RELATIONS BOARD

JAMES B. NICHOLSON, Chair
EMORY J. SPRINGER, Member
SARAH R. HIRAKAMI, Member

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I. EXECUTIVE SUMMARY

The Hawaii Labor Relations Board (HLRB or Board) is a quasi-judicial agency which administers the provisions of Hawaii Revised Statutes (HRS) Chapters 89 and 377 regarding collective bargaining in public and private employment. The mission of the Board is to enforce and protect the rights of employees and unions to organize and bargain collectively in balance with the employer's rights to manage operations as provided by law and to fairly and efficiently resolve labor disputes brought before it. The Board is attached to the State Department of Labor and Industrial Relations (DLIR) for administrative purposes only.

The Board conducts hearings to decide complaints filed by public and private sector employees, employee organizations or unions, and employers alleging prohibited or unfair labor practices. These cases typically involve an employer or union's failure to bargain in good faith, an employer or union's interference with an employee's right to participate in or refrain from bargaining activities, or a union's failure to fairly represent its members in the negotiation of agreements or the pursuit of grievances. The Board also conducts union representation elections, supervises the impasse procedures in public employment, and issues declaratory rulings which clarify the applicability of governing statutes and its rules.

The Board has jurisdiction over public employers, i.e., the State of Hawaii and the counties, the Judiciary, the Department of Education, including the public charter schools, the University of Hawaii system, and the Hawaii Health Systems Corporation. In the private sector, the Board has jurisdiction over primarily agricultural employees and employers, and those who are not subject to the jurisdiction of the National Labor Relations Board.

The Board also decides contests and appeals of decisions rendered by the DLIR Director, through the Hawaii Occupational Safety and Health Division (HIOSH) under HRS Chapter 396. Its mission under HRS Chapter 396 is to ensure the right of workers to a safe and healthful work environment and encourage employer and employee efforts to reduce injuries and illnesses arising from employment. These cases typically involve employer contests of citations and penalties issued and appeals in discrimination cases involving the reporting of health and safety violations.

In the 2007-2008 fiscal year (FY 2008), a total of 48 employment cases (47 public sector, 1 private sector) and 14 HIOSH cases were filed with the Board. The Board conducted 70 prehearing or status conferences, 30 motions hearings, and 8 days of hearings and closed 65 cases. The Board issued 2 decisions relating to collective bargaining and 61 orders, including 34 orders disposing of the cases. The Board also issued 7 Occupational Safety and Health decisions and 37 orders, including 22 dispositive orders. In addition, the Board was party to 21 court proceedings and was affirmed in 69% of the Court appeals where its decisions were reviewed.

II. INTRODUCTION

Pursuant to HRS § 89-5(a), the Board presents its annual report to the Governor describing its activities for fiscal year 2008 and reflecting the status of the Board on June 30, 2008.

III. MISSION STATEMENT

The mission of the Board is to enforce and protect the rights of employees and unions to organize and bargain collectively in balance with the employer's rights to manage operations as provided by HRS Chapters 89 and 377 by fairly and efficiently resolving labor disputes brought before it. The Board is committed to promote the harmonious and cooperative relations between the parties.

In 2002, the Board also acquired jurisdiction to conduct de novo hearings on contests from citations issued by the DLIR Director through the HIOSH Division and appeals from HIOSH's findings in discrimination complaints involving retaliation for reporting safety and health violations. The Board's mission pursuant to HRS Chapter 396 is to ensure the right of workers to a safe and healthful work

environment and encourage employer and employee efforts to reduce injury and illness arising out of employment.

IV. OVERVIEW

Governing Constitutional Provisions and Statutes

Private employees in the State of Hawaii have a constitutional right to organize. Article XIII, Section 1 of the State Constitution, provides that, "Persons in private employment shall have the right to organize for the purpose of collective bargaining." The Hawaii Employment Relations Act (HERA) was enacted in 1945 and codified as HRS Chapter 377 to permit employees who are not subject to the Railway Labor Act or the National Labor Relations Act to participate in collective bargaining. The Hawaii Employment Relations Board (HERB) was created to administer the provisions of the HERA.

Similarly, in 1968, the State Constitution was amended to afford public employees in the State of Hawaii the right to organize for the purpose of collective bargaining. Article XIII, Section 2 of the State Constitution, provides that, "Persons in public employment shall have the right to organize for the purpose of collective bargaining as provided by law." In 1970, the Legislature enacted Act 171, Session Laws of Hawaii, which was subsequently codified as HRS Chapter 89, Collective Bargaining in Public Employment, to encourage joint decision-making in administering government. The Act created the Hawaii Public Employment Relations Board (HPERB) to administer the provisions of HRS Chapter 89. In 1985, the Legislature abolished the HERB and transferred its functions to the HPERB and renamed it the Hawaii Labor Relations Board, effective January 1, 1986, to administer the provisions of both HRS Chapters 89 and 377.

Thereafter, in 2002, the Legislature enacted Act 104, Session Laws of Hawaii, which empowered the Board to conduct de novo hearings in reviewing contests from citations or orders of the Director of Labor and Industrial Relations involving occupational health and safety pursuant to HRS § 396-11.¹

Functions

The Board is an agency within the DLIR for administrative and budgetary purposes. The Board exercises quasi-judicial powers with jurisdiction over disputes pertaining to collective bargaining in the public sector arising under HRS Chapter 89 and in the private sector under HRS Chapter 377. Accordingly, the primary duties of its members are to hear and decide contested cases involving prohibited or unfair labor practice complaints and to render declaratory rulings on questions submitted. These cases typically involve an employer or union's failure to bargain in good faith, an employer or union's interference with an employee's right to participate in or refrain from bargaining activities, or a union's failure to fairly represent its members in the negotiation of agreements or the pursuit of grievances. The Board also conducts union representation elections, supervises the impasse procedures in public employment, and issues declaratory rulings to clarify the applicability of governing statutes and its rules. In addition, the Board also resolves disputes involving bargaining unit designations and determines the appropriateness of dues refunds for nonmembers.

In the public sector, the Board has jurisdiction over state and county employees, judiciary employees, public school teachers, faculty of the University of Hawaii and community college system, employees of the Hawaii Health Systems Corporation, and charter school employees.

In the private sector, the Board similarly conducts representation elections and resolves unfair labor practice complaints. The Board has jurisdiction over primarily agricultural employees and employers and those private employees and employers who are not subject to the jurisdiction of the National Labor

¹Prior to 2002, the Labor and Industrial Appeals Board of the DLIR (LIRAB) heard contests filed under HRS § 396-11.

Relations Board. Typically, the employees are members of unions or are involved with organizing activities.

In addition, the Board decides contests and appeals of decisions rendered by the Director of Labor and Industrial Relations, State of Hawaii, through HIOSH under HRS Chapter 396. These cases are typically employer contests of citations and penalties issued and appeals in discrimination cases involving retaliation against employees for reporting safety and health violations.

Board Members

The Board is composed of three members, one of whom is representative of management, one who is representative of labor and the third member, the Chair, who represents the public. Each member is appointed by the governor and confirmed by the Senate for six-year terms. Because cumulative experience and continuity in office are essential to the proper administration of HRS Chapter 89, the two-term appointment limit in HRS § 26-34 is not applicable, and members can continue in office as long as efficiency is demonstrated. The Board is composed of the following:

JAMES B. NICHOLSON, Chair, appointed July 1, 2007; annual salary \$90,285. Mr. Nicholson graduated from Saint Louis School in Honolulu, Hawaii and received his Bachelor of Arts from Michigan State University. He received his Juris Doctorate degree from the William S. Richardson School of Law and was admitted to the Hawaii State Bar in 1986. During his professional career he was a Union representative for the Kansas City Chiefs; Management negotiator for the Hawaii Employers Council; Production Manager for Weyerhaeuser Paper Company, represented the Teamsters Local 996 and State Organization of Police Officers in grievance arbitration cases, represented Hawaiian Electric Company in grievance arbitration cases and served as an arbitrator in public and private labor disputes.

EMORY J. SPRINGER, Member, representative of labor, appointed July 1, 2005; annual salary \$85,771. Mr. Springer graduated from St. Joseph High School in Hilo, Hawaii and attended the University of Hawaii – Hilo majoring in Police Science. Mr. Springer served as a police officer for the County of Hawaii for 20 years and during his career, received many letters of commendations and a certificate of merit for bravery. Mr. Springer served eight years as Chair of SHOPO's Hawaii Chapter and in that capacity, participated in representing SHOPO members in numerous grievances and at the negotiating table.

SARAH R. HIRAKAMI, Member, representative of management, appointed July 1, 2006; annual salary \$85,771. Ms. Hirakami previously served as deputy legal counsel to the Board of Water Supply, City and County of Honolulu, and as a deputy attorney general in the Employment Law Division of the Department of the Attorney General, State of Hawaii. Prior to becoming an attorney, Ms. Hirakami worked as an engineer. Ms. Hirakami graduated from the University of Hawaii with a Bachelor of Science degree from the College of Engineering, and received a Juris Doctorate degree from the William S. Richardson School of Law with a certificate in Environmental Law.

Board Staff

Pursuant to HRS § 89-5(a), the Board may appoint the members of its staff. The Board's secretary and legal clerk are in the civil service system and excluded from collective bargaining. Other staff members are exempt from civil service and excluded from collective bargaining. The staff is composed of the following:

VALRI LEI KUNIMOTO, Executive Officer; annual salary \$93,588. Ms. Kunimoto serves as legal counsel to the Board, represents the Board in the courts, and performs such legal and administrative duties as may be delegated by the Board Chair. Her administrative duties may include supervising the other staff members; drafting and editing Board publications and decisions; and responding to inquiries from the public. Ms. Kunimoto has served as the Executive Officer with the Board since April 1981 under Board Chairs Mack Hamada, Bert Tomasu, and the late Brian Nakamura. She graduated with distinction from the University of Hawaii with a Bachelor of Arts degree in Psychology and received a Juris Doctorate

degree from Hastings College of the Law, University of California. Prior to working with the Board, Ms. Kunimoto served briefly as a law clerk with Chief Justice William S. Richardson, Supreme Court of Hawaii. Thereafter, she served as deputy attorney general in the administration division, advising and representing then Department of Personnel Services and other executive departments in arbitrations, administrative hearings, and litigation regarding administrative law and personnel issues.

NORA A. EBATA, Secretary IV; SR 18L. Ms. Ebata provides clerical services for the Chair and Board members. She also serves as the office manager, supervises the Board's clerical staff and is responsible for fiscal and personnel recordkeeping, including purchasing and travel for the Board. Ms. Ebata types from a draft and finalizes Board decisions, orders, notices, and other Board publications; proofs and finalizes court documents; serves as a clerk in Board proceedings; and responds to public inquiries.

SAU LAN LEUNG, Legal Clerk; SR 14. Ms. Leung performs a variety of clerical tasks; types from a draft, finalizes and distributes Board decisions, orders, notices and legislative documents; prepares and files court documents, including pleadings, records on appeal, and briefs; and maintains the Board's library. Ms. Leung also serves as a clerk in Board proceedings, responds to public inquiries, and when requested, serves as an interpreter for the department.

V. DATA ON THE PUBLIC SECTOR BARGAINING UNITS

The collective bargaining law for public employees divides all State and county employees covered by Chapter 89, HRS, into 13 units based upon occupational and compensation plan groupings. These bargaining units, described in HRS § 89-6(a), are as follows:

- (1) Non-supervisory employees in blue collar positions;
- (2) Supervisory employees in blue collar positions;
- (3) Non-supervisory employees in white collar positions;
- (4) Supervisory employees in white collar positions;
- (5) Teachers and other personnel of the department of education under the same pay schedule, including part-time employees working less than twenty hours a week who are equal to one-half of a full-time equivalent;
- (6) Educational officers and other personnel of the department of education under the same pay schedule;
- (7) Faculty of the University of Hawaii and the community college system;
- (8) Personnel of the University of Hawaii and the community college system, other than faculty;
- (9) Registered professional nurses;
- (10) Institutional, health and correctional workers;
- (11) Firefighters;
- (12) Police officers; and
- (13) Professional and scientific employees, who cannot be included in any of the other bargaining units.

It is customary to refer to the bargaining units by the numbers used in HRS § 89-6(a). For example, the unit consisting of firefighters is referred to as Unit 11.

Exclusive Representatives

All 13 public employee collective bargaining units have selected employee organizations to serve as their exclusive representatives. Throughout the remainder of this report, the following abbreviations will be used to refer to the respective exclusive representatives (or unions):

HFFA	Hawaii Fire Fighters Association, Local 1463, IAFF, AFL-CIO
HGEA	Hawaii Government Employees Association, AFSCME, Local 152, AFL-CIO
HSTA	Hawaii State Teachers Association
SHOPO	State of Hawaii Organization of Police Officers
UHPA	University of Hawaii Professional Assembly (NEA-AAUP)
UPW	United Public Workers, AFSCME, Local 646, AFL-CIO

Number of Employees in Units

The following table indicates, for each bargaining unit, the number of employees who are included in the unit, the union and the date that the union was initially selected and certified as the exclusive representative.

Unit	No. of Employees	Exclusive Representative	Date of Initial Certification
01	8,699 ²	UPW	10/20/71
02	830	HGEA	10/20/71
03	14,194	HGEA	04/03/72
04	865	HGEA	05/03/72
05	13,328	HSTA	05/21/71
06	812	HGEA	06/10/71
07	3,810	UHPA	11/01/74
08	2,011	HGEA	01/26/73
09	1,437	HGEA	07/10/79
10	2,862	UPW	02/11/72
11	1,854	HFFA	02/04/72
12	2,786	SHOPO	07/14/72
13	7,446	HGEA	05/03/72

VI. CASES BEFORE THE BOARD DURING FY 2008

Case Statistics

The following represents the cases filed and pending before the Board in FY 2008:

²These figures are from HLRB Informational Bulletin No. 46, dated March 3, 2008, which was compiled from data supplied by the public employers. These figures are current as of December 31, 2007.

Type of Case	Pending 6/30/07	Filed	Closed	Pending 6/30/08
<i>Public Sector</i>				
Prohibited Practice against Employer	30	36	26	40
Prohibited Practice against Union	4	7	8	3
Impasse	0	0	0	0
Declaratory Ruling	2	5	3	4
Investigation	0	0	0	0
Rule Making	0	0	0	0
Unit Clarification	0	1	1	0
Representation	0	0	0	0
Unfair Labor Practice against Employer	0	1	1	0
Unfair Labor Practice against Union	0	0	0	0
Type of Case	Pending 6/30/07	Filed	Closed	Pending 6/30/08
<i>HIOSH Appeals</i>				
Citation	20	14	28	6
Discrimination	0	0	0	0
Total	56	64	67	53

In FY 2008, a total of 48 employment cases (47 public sector, 1 private sector) and 14 HIOSH cases were filed with the Board. The Board conducted 70 prehearing or status conferences, 30 motions hearings, and 8 days of hearings and closed 65 cases. The Board issued 2 decisions relating to collective bargaining and 61 orders, including 34 orders disposing of the cases. The Board also issued 7 Occupational Safety and Health decisions and 37 orders, including 22 dispositive orders. In addition, the Board was party to 21 court proceedings and was affirmed in 69% of the Court appeals where its decisions were reviewed.

One measure of the Board's efficiency is the percentage of cases disposed of within 30 days of submission. During FY 2008, the Board closed 84% of the cases within 30 days. These cases vary in complexity; some involving issues affecting one employee and others affecting the rights of a large number of employees.

Cases Closed During FY 2008

The chart in Appendix A provides information on the cases closed by the Board during FY 2008.

Cases Pending on June 30, 2008

The chart in Appendix B provides information on the cases pending before the Board on June 30, 2008.

Court Cases in FY 2008

The chart in Appendix C provides information on the cases in the courts.

VII. PUBLICATIONS

1. HLRB Decisions: The Board, working with the Industrial Relations Center (IRC), University of Hawaii, publishes the Board's decisions in loose-leaf binders for sale on a subscription basis. Thus far, Volume 1, containing Decision Nos. 1 through 85 covering the years 1971-77; Volume 2, containing Decision Nos. 86 through 155 covering the years 1978-81; Volume 3, containing Decision Nos. 156 through 209 covering the years 1982-85; Volume 4, containing Decision Nos. 210 through 311 covering the years 1986-90; Volume 5, containing Decision Nos. 312 through 393 covering the years 1991-97; and Volume 6 containing Decision Nos. 394 to 456, have been issued. Copies of recent decisions are available on the Board's website at www.hawaii.gov/labor.

The Board also distributes copies of its decisions as they are rendered to the respective parties in interest, the State agencies as required by HRS § 93-3.

2. Informational Bulletin: Each year the Board issues an Informational Bulletin which provides, by employing jurisdictions, the number of public employees in each of the 13 collective bargaining units established by HRS § 89-6(a). The figures are compiled from data supplied by the public employers.

3. Website: Rules, forms, bulletins and recent decisions of the Board are posted on the DLIR website at www.hawaii.gov/labor.

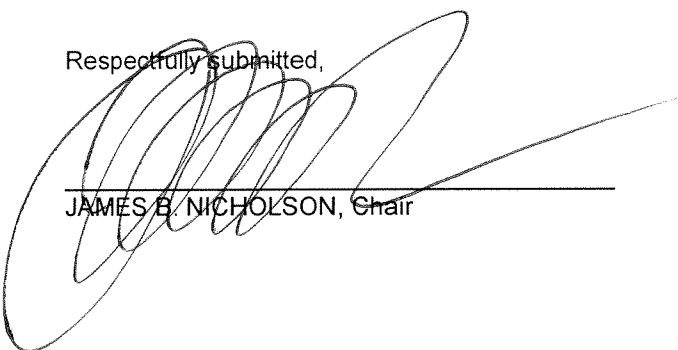
VIII. CONCLUSION

In reviewing the case activity for labor relations cases for this fiscal year, the Board believes it has continued to meet its goals of fairly administering the provisions of HRS Chapters 89 and 377, credibly and objectively, resolving the labor-management disputes brought before it by promoting good faith and harmony in the working relationships of the respective parties. The Board has worked diligently to encourage the settlement of disputes brought before it by broaching settlement issues early at the prehearing conference, encouraging the parties with authority to resolve the controversy to attend the initial conferences, involving individual Board Members to assist the parties in settlement discussions, and addressing various groups of public sector and private sector practitioners and stakeholders at conferences to explain the Board's processes and its work to improve the relationships between the unions and the employers. In many cases, the parties were able to resolve their disputes and the Board credits the parties for their efforts and reasonableness in reaching a settlement.

The Board looks forward to the forthcoming year in which the economy will bring new challenges for the parties as all public sector bargaining units, except for police and fire, negotiate collective bargaining agreements to replace those expiring on June 30, 2009.

With respect to the HIOSH contests, the Board conducted de novo hearings on the contests of citations. The Board strives to provide a forum for the fair and efficient adjudication of safety and health contests by balancing the rights of employers while securing the safety of their workers. As evidenced by the closed cases in Appendix A, the parties were successful in settling a number of contests. The Board commends the parties for their reasonableness in resolving their disputes.

Respectfully submitted,



JAMES B. NICHOLSON, Chair


EMORY J. SPRINGER, Member


SARAH R. HIRAKAMI, Member

Dated: November 17, 2008

11/5/2008

CASES CLOSED FY 2008

Case No.	Parties	Concerns	Disposition	Date
OSH 2007-2	Director, Department of Labor and Industrial Relations (DLIR) v. Master Sheet Metal, Inc.	Citation - \$2,625.	Order No. 250 Approving Stipulation and Settlement Agreement. (\$1,750)	07/12/07
OSH 2007-14	DLIR v. Kauai Nursery and Landscaping, Inc.	Citation - \$3,500.	Order No. 251 Approving Stipulation and Settlement Agreement. (\$2,625)	07/12/07
CU-01-258	Richard T. Bilan v. UPW	Breach of the Duty of Fair Representation (DFR)	Order No. 2459 Granting Respondent UPW's Motion to Dismiss and/or for Summary Judgment.	07/25/07
CU-10-256	Debra Pimentel v. UPW	DFR	Order No. 2460 Granting UPW's Motion to Dismiss and/or for Summary Judgment.	07/30/07
OSH 2007-12	DLIR v. Hawaii Outdoor Tours, Inc.	Citation - \$4,200.	Order No. 255 Approving Stipulation and Settlement Agreement. \$2,100.	07/30/07
OSH 2007-15	DLIR v. Oahu Air Conditioning Service, Inc.	Citation - \$875	Order No. 256 Approving Stipulation and Settlement Agreement. Reduction in characterization.	07/30/07
OSH 2007-1	DLIR v. Tesoro Hawaii Corp.	Citation - \$1,500.	Order No. 257 Approving Stipulation and Settlement Agreement. \$750.	08/01/07
CE-05-638	Susan K. Anderson v. Ann Paulino and DOE	Harassment and retaliation by principal	Order No. 2461 Granting Respondents' Motion to Dismiss Prohibited Practice Complaint.	08/02/07
OSH 2006-10	DLIR v. Global Horizons, Inc.	Citation - \$1,100.	Decision No. 17 Affirming Citation.	08/03/07
OSH 2006-11	DLIR v. Global Horizons, Inc.	Citation - \$160.	Decision No. 18 Vacating Citation.	08/03/07
OSH 2006-12	DLIR v. Global Horizons, Inc.	Citation - \$3,250.	Decision No. 19 Affirming and Vacating Citation.	08/03/07
OSH 2006-13	DLIR v. Global Horizons, Inc.	Citation - \$2,250.	Decision No. 20 Affirming Citation.	08/03/07
OSH 2006-14	DLIR v. Global Horizons, Inc.	Citation - \$2,275.	Decision No. 21 Affirming Citation.	08/03/07
CE-02-640a CE-03-640b CE-04-640c CE-13-640d	HGEA v. Bryan J. Baptiste	Failure to submit cost items to the County Council	Order No. 2462 Granting Complainant's Motion to Withdraw Prohibited Practice Complaint filed on June 18, 2007.	08/03/07
OSH 2007-9	DLIR v. A-1 Master Roofing, Inc.	Citation - \$9,000.	Order No. 258 Approving Stipulation and Settlement Agreement. Payment plan.	08/06/07
OSH 2007-17	DLIR v. Metcalf Construction Company, Inc.	Citation - \$6,250	Order No. 259 Approving Stipulation and Settlement Agreement. \$3,125.	08/21/07
CE-03-563	UPW v. Alan Arakawa	Refusal to provide information	Order No. 2463 Approving Stipulation to Dismiss Complaint, Filed on August 21, 2007.	08/22/07
07-2(CE)	Mimiko Yamashita v. Shu International, Inc., dba Mika Hair Salon	Discrimination	Order No. 2464 Granting Request to Withdraw Complaint.	08/23/07
CU-10-259	Nellie K. Fejeran v. Dayton Nakanelua and UPW	Representation - workers compensation	Order No. 2465 Granting UPW's Motion to Dismiss Complaint and/or for Summary Judgment.	08/23/07

11/5/2008

CASES CLOSED FY 2008

Case No.	Parties	Concerns	Disposition	Date
OSH 2007-8	DLIR v. AJ Construction, Inc.	Citation - \$5,000	Order No. 260 Approving Stipulation and Settlement Agreement. \$3,000.	08/24/07
OSH 2007-13	DLIR v. Aloha Roofing, Inc.	Citation - \$6,000	Order No. 261 Approving Stipulation and Settlement Agreement. \$3,000.	09/06/07
OSH 2007-10	DLIR v. Global Horizons, Inc.	Citation - \$1,500	Order No. 262 Approving Stipulation and Settlement Agreement. \$750.	09/10/07
OSH 2007-11	DLIR v. Brelle West Construction & Restoration, Inc.	Citation - \$3,750	Order No. 264 Approving Stipulation and Settlement Agreement. \$1,875.	09/20/07
CE-06-642	Ann A. Sugibayashi v. DOE	Job Evaluation	Order No. 2471 Granting Respondent's Motion to Dismiss, filed on September 5, 2007.	10/09/07
OSH 2007-5	DLIR v. DOT, Highways, Maui District	Citation - \$12,025	Order No. 265 Approving Stipulation and Settlement Agreement. \$7,215.	10/09/07
CE-10-641	UPW v. Lewis P. Lindsey and Department of Public Safety	Interference	Order No. 2469 Granting Complainant's Motion to Withdraw Complaint Based on August 31, 2007 Agreement of the Parties, filed on October 3, 2007.	10/09/07
OSH 2007-17	DLIR v. AJ Construction, Inc.	Citation - \$11,000	Order No. 266 Approving Stipulation and Settlement Agreement. \$7,700.	10/10/07
OSH 2007-4	DLIR v. Kasan Construction Corp.	Citation - \$1,500.	Order No. 268 Dismissing Contest.	10/31/07
OSH 2007-6	DLIR v. International Roofing & Building Construction, Inc.	Citation - \$10,500	Decision No. 22, Findings of Fact, Conclusions of Law, and Order Affirming the Citation and Penalty.	11/06/07
CE-06-646	Ann A. Sugibayashi v. DOE	Removal as Principal	Order No. 2475 Granting Respondent's Motion to Dismiss.	11/07/07
OSH 2007-21	DLIR v. Unlimited Construction, Inc.	Citation - \$700	Order No. 269 Approving Stipulation and Settlement Agreement. \$100.	11/07/07
CU-10-248	Department of Public Safety v. UPW	Violation of Stipulated Arbitration Award	Order No. 2478 Granting UPW's Motion to Defer to Circuit Court's Final Judgment and/or for Dismissal of Complaint.	12/05/07
CE-08-578	HGEA v. David McClain, Board of Regents, and Linda Lingle	Implementation of Personnel Policy	Order No. 2479 Granting HGEA's Motion to Withdraw Prohibited Practice Complaint filed October 18, 2004.	12/17/07
CE-12-625	SHOPO v. Mufi Hannemann, Boisse P. Correa, and City and County of Honolulu	Failure to consult over transfers	Order No. 2480 Granting Complainant's Motion to Withdraw Complaint, filed on December 17, 2007.	12/18/07
CE-10-620	UPW v. James Propotnick	Settlement Agreement re: Order No. 2381.	Order No. 2482 Denying Motion to Withdraw Complaint.	12/26/07

11/5/2008

CASES CLOSED FY 2008

Case No.	Parties	Concerns	Disposition	Date
CE-01-647	UPW v. Mufi Hannemann, Kenneth Nakamatsu, and Clifford Lum	Refusal to provide information	Order No. 2483 Denying UPW's Motion for Summary Judgment; and Order Dismissing Prohibited Practice Complaint or Alternatively, Granting Respondents' Cross-Motion for Summary Judgment.	12/27/07
OSH 2007-3	DLIR v. Keehi Transfer Station	Citation - \$4,125	Order No. 271 Approving Stipulation and Settlement Agreement.	01/08/08
CE-11-645	HFFA v. Bryan Baptiste, Robert F. Westernman, Malcolm C. Fernandez and County of Hawaii	Consideration of temporary assignments in promotions	Order No. 2487 Granting HFFA/IAFF's Motion to Withdraw Prohibited Practice Complaint filed on September 21, 2007.	01/15/08
CE-01-649	UPW v. Mufi Hannemann	Failure to provide information on grievance	Order No. 2488 Granting Complainant UPW's Motion to Withdraw Prohibited practice Complaint, filed on January 14, 2008.	01/15/08
OSH 2007-23	DLIR v. Red Sail Sports Waikoloa, Inc.	Citation - \$2,225.	Order No. 273 Approving Stipulation and Settlement Agreement. \$1,000.	01/23/08
CE-10-590	UPW v. Richard Bissen and Linda Lingle	Failure to provide information on grievance	Order No. 2490 Granting Complainant's Motion to Withdraw Complaint Without Prejudice, Filed on January 18, 2008.	01/24/08
CE-10-591	UPW v. Richard Bissen and Linda Lingle	Failure to provide information on grievance	Order No. 2491 Granting Complainant's Motion to Withdraw Complaint Without Prejudice, Filed on January 18, 2008.	01/24/08
OSH 2007-17	DLIR v. Frank Coluccio Construction Company	Citation - \$875	Decision No. 23, Findings of Fact, Conclusions of Law, and Decision Affirming the Citation and Penalty.	01/25/08
OSH 2008-1	DLIR v. Akira Yamamoto Painting, Inc.	Citation - \$0	Order No. 274 Approving Withdrawal of Contest.	01/28/08
OSH 2007-25	DLIR v. Joel Koejje, Inc.	Citation - \$600	Order No. 276 Approving Stipulation and Settlement Agreement. \$420.	02/26/08
CU-01-262 CE-01-653	Glen Y. Tanaka v. UPW and DOT	Breach of the duty of fair representation (DFR) and failure to assign overtime	Order No. 2494 Granting Respondents' Motions to Dismiss Prohibited Practice Complaint for Failure to Exhaust Contractual Remedies.	02/27/08
OSH 2007-24	DLIR v. Department of Water Supply, County of Hawaii	Citation - \$1,875	Order No. 280 Approving Stipulation and Settlement Agreement. \$0.	03/20/08
DR-10-94	UPW and HGEA, Clayton A. Frank, Harry Kim, and Gordon Leslie	HAR Section 12-42-129, filing of policy statements	Decision No. 472, Findings of Fact, Conclusions of Law, and Declaratory Order.	04/03/08
CE-01-660	UPW v. Clifford Lum and Board of Water Supply, City and County of Honolulu	Use of computerized management system in plant operations	Order No. 2497 Granting UPW's Motion to Withdraw Complaint, filed on April 3, 2008.	04/08/08
CE-10-654	UPW v. Clayton Frank and Eric Nitta	Refusal to sign Stipulated Arbitration Decision	Order No. 2498 Granting UPW's Amended Motion to Withdraw Complaint with Prejudice.	04/10/08
CE-01-657	UPW v. Clifford Lum and Kenneth Nakamatsu	Refusal to provide information	Order No. 2501 Granting UPW's Motion for Summary Judgment.	04/14/08

11/5/2008

CASES CLOSED FY 2008

Case No.	Parties	Concerns	Disposition	Date
CE-01-656	UPW v. Marie Laderta, et al.	Refusal to negotiate with the UPW	Order No. 2500 Granting UPW's Motion to Withdraw Complaint Without Prejudice, filed on April 4, 2008.	04/14/08
CE-01-655	UPW v. Milton Arakawa and Charmaine Tavares	Refusal to select arbitrator and provide information	Order No. 2499 Granting in Part and Denying in Part UPW's Motion for Summary Judgment and Granting in Part and Denying in Part County of Maui's Motion for Summary Judgment.	04/14/08
OSH 2008-3	DLIR v. Summit Construction, Inc.	Citation - \$700	Order No. 281 Approving Stipulation and Settlement Agreement. \$350.	04/15/08
CE-05-648 CU-05-260	Eugene Opunui Seminavaga v. Ka Waihona O Ka Na'auao, HSTA, and DOE	Termination by charter school and Union DFR	Order No. 2502 Granting Respondent Department of Education, State of Hawaii's Motion to Dismiss; and Granting Respondents' Motions to Dismiss.	04/16/08
DR-11-96	HFFA and Linda Lingle; Civil Service Commission; and James Arcier; Lionel Camara, Jr., Adam H. Enos, Jr., Peter Gaskell, William K. Kaai, Jr., Hiram K. Keliipio, Scott Perkins, Nathan Ramos, Jr., Ronald Rico, James Skellington, and Edmund Suzuki	Confidentiality of bargaining notes subpoenaed in separate proceeding	Order No. 2506 Granting HFFA/IAFF's Motion to Withdraw Petition for Declaratory Ruling Filed on March 11, 2008	05/06/08
CE-12-622	SHOPO v. Boisse P. Correa	Failure to consult over changes in solo bike policies	Order No. 2507 Granting Complainant State of Hawaii Organization of Police Officers' (SHOPO) Motion to Withdraw Complaint.	05/06/08
RA-13-229	County of Hawaii	Exclusion of Vehicle Registration and Licensing Manager	Decision No. 473.	05/20/08
CE-05-644	HSTA and Keith T. Amano v. Nathan Alwohi and DOE	Interference and discrimination	Order No. 2512 Granting HSTA's Motion to Withdraw Complaint.	06/02/08
CE-01-663	Kenneth Mersburgh v. Tim A. Houghton, John Murakami, Kevin Nakamura, Harry Hauck, Jay Gonsalves, Wayne Sales, and C&C of Honolulu	Harassment and discrimination	Order No. 2513 Granting Complainant's Request to Withdraw Complaint.	06/03/08
DR-12-98	Harry Kahoano, Jr. and C&C and Linda Lingle	Limited Duty Assignment Policy constitutes a lockout	Order No. 2514 Granting Petitions for Intervention and Granting Withdrawal of Petition for Declaratory Ruling.	06/04/08
CU-10-263	Richard Condon v. Paula Ota, Laurie Santiago, Dayton Nakanelua, and UPW	DFR	Order No. 2515 Granting Complainant's Withdrawal of Prohibited Practice Complaint.	06/05/08
CE-01-643	UPW v. Clifford Lum	Refusal to provide information	Order No. 2517 Granting UPW's Motion to Grant Respondent's Motion for Substitution of Exhibits Filed on 10/11/07 and to Withdraw Complaint.	06/05/08
CE-03-652a CE-09-652b CE-13-652c	HGEA v. Linda Lingle, Lillian B. Koller, and Patty Johnson	Refusal to consult over changes in Nurses Without Walls Program	Order No. 2518 Granting Complainant's Motion to Withdraw Prohibited Practice Complaint filed on December 7, 2007.	06/16/08

11/5/2008

CASES CLOSED FY 2008

Case No.	Parties	Concerns	Disposition	Date
CU-10-256 (On Remand)	Debra Pimentel v. UPW	DFR	Order No. 2519 Granting UPW's Motion to Dismiss Complaint and/or for Summary Judgment.	06/25/08

CASES PENDING AS OF JUNE 30, 2008

Case No.	Parties	Concerns	Status
CE-03-357a CE-10-357b CE-13-357c	UPW, et al. v. Benjamin J. Cayetano, et al.	Privatization of Hale Hauoli, Kauai	Pending decision.
CE-01-378a CE-03-378b CE-10-378c CE-13-378d	UPW, et al. v. Benjamin J. Cayetano, et al.	Privatization of Hale Hauoli	Taken under advisement.
CE-01-537a CE-02-537b CE-03-537c CE-04-537d CE-06-537e	UPW and HGEA v. Kathleen Watanabe and Linda Lingle	Charter School employees	Pending decision.
DR-01-89a DR-10-89b	UPW and HGEA, Maui County, DHRD, Hawaii County, and Keller	Bargaining over Act 253 policies and procedures	Pending.
CE-01-545a CE-10-545b	UPW v. Kathleen Watanabe and Linda Lingle	Refusal to bargain over rules	Pending.
CE-01-546a CE-03-546b CE-04-546c CE-09-546d CE-13-546e	HGEA v. Kathleen Watanabe and Linda Lingle	Failure to negotiate policies	Pending.
CE-01-550	UPW v. Robert Watada, Patricia Hamamoto, Board of Education and Waialae Elementary School Board	Closing of cafeteria	Pending.
CE-01-552a CE-10-552b	UPW v. Kathleen Watanabe and Linda Lingle	Discontinuation of prior practices	Pending.
CE-02-553a CE-03-553b CE-04-553c CE-09-553d CE-13-553e	HGEA v. Linda Lingle and Kathleen Watanabe	Discontinuation of prior practices	Consolidated with CE-01-552, et seq.
CE-01-565a CE-02-565b CE-03-565c CE-04-565d	UPW and HGEA v. Patricia Hamamoto and BOE	Charter School employees	Pending order.
CE-01-576	UPW v. Larry J. Leopardi, Frank Doyle, and Jeremy Harris	Failure to negotiate and provide information	Pending order.
CE-01-581	UPW v. Frank Doyle and Jeremy Harris	Request for Information	Pending order.

CASES PENDING AS OF JUNE 30, 2008

Case No.	Parties	Concerns	Status
CE-01-605a	UPW v. Marie Laderta and Valerie Pacheco	Settlement agreements in workers compensation cases	Pending decision.
CE-10-605b			
CE-05-607	HSTA v. Mary Ann Bode and Daniel Hamada	Discrimination	Hearing continued.
CE-01-609	UPW v. Hawaii Health Systems Corporation - Hilo Medical Center	Failure to provide information	Pending decision.
OSH 2005-28	DLIR v. DTB Construction Consultants, Inc.	Citation - \$55,000	Pending bankruptcy proceeding.
CE-01-611	UPW v. Department of Environmental Services, Ray Mumford, and Wayne Harada	Retaliation for filing grievance	Pending settlement.
CE-01-615	UPW v. C&C of Honolulu	Surveillance of shop steward	Pending settlement.
CE-01-616	UPW v. C&C of Honolulu	Shop steward selection	Pending settlement.
CE-01-617	UPW v. C&C of Honolulu	Discrimination against Delapena	Pending settlement.
CE-01-618	UPW v. C&C of Honolulu	Written reprimand - retaliation	Pending settlement.
CE-02-632a	HGEA v. Linda Lingle, Chiyome Fukino and Mark Fridovich	Failure to negotiate/consult of smoke free Hawaii State Hospital	Pending decision.
CE-03-632b			
CE-04-632c			
CE-09-632d			
CE-13-632e			
CE-03-635a	HGEA v. Linda Lingle and Iwalani D. White	Failure to negotiate/consult over relocation of Sheriff's desks	Pending decision.
CE-04-635b			
CE-05-637	HSTA v. Department of Education	Student medication	Pending hearing on motions.
CE-01-639a	HGEA v. Linda Lingle, Chiyome Fukino and Mark Fridovich	Failure to bargain over no smoking policy	Motion to dismiss pending.
CE-03-639b			
CE-04-639c			
CE-09-639d			
CE-13-639e			
OSH 2007-19	DLIR v. International Roofing and Building Construction, Inc.	Citation - \$15,000	Pending decision.
OSH 2007-20	DLIR v. Permasteelisa Cladding Technologies, Ltd.	Citation - \$5,000	Pending decision.
CE-01-647	UPW v. City and County of Honolulu, Kenneth Nakamatsu, and Clifford Lum	Request for Information - private contracts	Pending discussions.
CE-01-627 On Remand	UPW	UPW filed Motion to Amend Order No. 2432	Pending order.
OSH 2007-22	DLIR v. Hilton Hotels Corporation	Citation \$2,625	Pending briefing.
CE-01-650	UPW v. Mufti Hannemann and Kenneth Nakamatsu	Failure to provide information	Pending.
CU-09-261	Linda K. Hadley v. HGEA and Hawaii Youth Correctional Facility	DFR and harassment	Pending decision.
CE-09-651			

CASES PENDING AS OF JUNE 30, 2008

Case No.	Parties	Concerns	Status
CE-01-558	UPW v. Watada, et al.	Union filed motion to reopen proceedings	Pending review of court order.
CE-01-594	UPW v. Watada, et al.	Union filed motion to reopen proceedings	Pending review of court order.
OSH 2008-2	DLIR v. American Honolulu Construction, Ltd.	Citation - \$600	Trial scheduled.
CE-05-658	HSTA v. BOE, Katherine Tolentino, and Scott Saiki	Discrimination and Interference with Union activity	Hearing scheduled.
OSH 2008-4	DLIR v. JAS Roofing	Citation \$2,000	Trial scheduled.
CE-07-659	UHPA v. BOR	Grievance	Motion hearing scheduled.
DR-01-95	UPW v.	Charter School employees	Motion hearing scheduled.
CE-01-661	HSTA v. Patricia Hamamoto, BOE, Linda Lingle, and Marie Laderta	Step movements	Motions pending.
DR-01-97	Department of Transportation	HGEA arbitrating a grievance for UPW employee	Pending order.
DR-02-97			
CE-01-664	UPW v. Mufi Hannemann	Refusal to provide information	Hearing scheduled.
CE-01-665	UPW v. City and County of Honolulu and Mufi Hannemann	Surveillance of shop steward	Hearing scheduled.
OSH 2008-5	DLIR v. Kona Honu Divers, Inc.	Citation	Trial scheduled.
CE-05-666	HSTA v. BOE, Katherine Tolentino, and Arthur Souza	Refusal to consult; unwarranted threats	Motion hearing scheduled.
CE-01-634	UPW v. Clifford Lum, Randall Y.S. Chung, Herbert S.K. Kaopua, Samuela T. Hata, Ally J. Park, Rodney K. Haraga, Laverne Higa, Board of Water Supply, and Mufi Hannemann	CMMS	Motions heard; order pending.
CE-05-667	HSTA v. Board of Education, Patricia Hamamoto, and Susan H. Kitsu	Harassment policy	Motion hearing scheduled.
CE-05-668	HSTA v. Katherine Tolentino	Discrimination against teacher	Motions pending.
CE-05-669	HSTA v. Board of Education, and Susan H. Kitsu	Denial of information	Prehearing and hearing scheduled.
CE-10-670	Richard Condon v. Department of Human Services	Violation of Contract - staffing	Motion heard; complaint to be withdrawn.
CU-10-264	Richard Condon v. UPW	DFR - consolidated with CE-10-670	
CE-11-671	HFFA v. Brennon Morioka	Termination	Prehearing and hearing scheduled.
CU-05-265	Patricia Hamamoto, Board of Education, Linda Lingle, and Marie Laderta v. HSTA	Failure to withdraw step movements charge	Motion pending.
CE-05-672	HSTA v. Board of Education and Arthur F. Souza	Refusal to provide information	Motion pending; prehearing and hearing scheduled.
CE-07-673	UHPA v. BOR	Failure to consult over overseas campus	Prehearing and hearing scheduled.

CASES PENDING AS OF JUNE 30, 2008

Case No.	Parties	Concerns	Status
CE-07-674	UHPA v. BOR	Limitation on summer school classes	Prehearing and hearing scheduled.
CE-05-675	Kaao Kawaa v. Lydia Trinidad	Evaluation of charter school employee	Pending Prehearing and hearing.
OSH 2008-6	DLIR v. Time Frame, Inc.	Citation - \$9,150	Initial conference/settlement conference scheduled.
CE-01-676	UPW v. City and County of Honolulu and Mufi Hannemann	Settlement agreements	Notice to Respondents issued.
CU-05-266	Patricia Hamamoto, Board of Education, Linda Lingle, and Marie Laderta v. HSTA	Filing of CE-05-668	Notice to Respondents issued.

COURT CASES IN FY 2008

Case No.	Parties	Concerns	Status
No. 27477 Civil No. 04-1-0393-03 OSAB 2002-35	Craig Gomes v. HLRB, Hawaii Electric Company, and DLIR	Gomes filed an appeal from Order No. 87 dismissing his appeal.	First Circuit Court affirmed Order No. 87. Gomes appealed to the Supreme Court. Circuit Court denied Gomes' Motion for Reconsideration. ICA issued Summary Disposition Order affirming Circuit Court's Order Denying Motion for Reconsideration of Order Affirming Board's Dismissal with Prejudice and Denying Appeal on 6/4/08. Judgment on Appeal filed on 6/25/08.
No. 27304 Civil No. 04-1-1844-10 Civil No. 04-1-1847-10 OSH 2003-3	Si-Nor, Inc. v. DLIR and HLRB; DLIR v. Si-Nor, Inc.	DLIR and the employer appealed Dec. No. 8.	First Circuit Court dismissed the appeals for lack of jurisdiction and entered judgment for the DLIR. Judgment and Notice of Judgment filed on 4/20/05. Si-Nor appealed to the Supreme Court. Assigned to the ICA. Pending decision.
No. 27497 Civil No. 04-1-2194 OSH 2003-4	DLIR v. Si-Nor, Inc., Charles Ke-a, and HLRB	DLIR appealed Dec. No. 9.	First Circuit Court reversed Dec. No. 9. Si-Nor filed appeal to the Supreme Court. Assigned to the ICA. Pending decision.
No. 27800 Civil No. 05-1-1373-07 Case No. CE-03-579	HGEA v. Amador Casupang, et al. and HLRB	HGEA filed an appeal from Dec. No. 453 dismissing prohibited practice charges stemming from political materials on union bulletin boards.	First Circuit Court affirmed Dec. No. 453. HGEA filed notice of appeal to the Supreme Court on 3/3/06. S. Ct. affirmed First Circuit Court 11/13/07. Supreme Court Judgment on Appeal filed 11/27/08.
No. 27962 Civil No. 05-1-1388 Civil No. 05-1-1391 Case No. CE-01-538	UPW v. City and County of Honolulu, et al., and HLRB	UPW and City filed appeals from Dec. No. 452; cases consolidated.	First Circuit Court affirmed Dec. No. 452. UPW and City filed appeals to the appellate court.
No. 27930 Civil No. 05-1-1700-09 Case No. CU-02-236a Case No. CU-04-236b	Morris E. Apana and Thomas J. Lenchanko v. HGEA, et al.	Apana and Lenchanko filed appeals from Order No. 2345 dismissing their DFR charges against HGEA in the handling of their grievances.	First Circuit Court affirmed Order No. 2345 (Judgment filed 4/13/06). Lenchanko filed appeal to Supreme Court. Assigned to the Intermediate Appellate Court. ICA affirmed Judgment of the Circuit Court on 8/31/07. Judgment on Appeal filed on 9/25/07.
No. 28346 Civil No. 06-1-1316-07 Case No. CE-10-620	UPW and James Propotnick, et al.	UPW filed an appeal from Order No. 2381 dismissing its complaint as untimely.	Order Affirming HLRB's Order No. 1281 issued on 12/15/06. UPW filed appeal to IAC. IAC issued Order Granting UPW's Motion to Withdraw and Dismiss Appeal on 12/13/07.
Civ. No. 07-1-0456-03 Case No. CE-01-558	UPW and Robert Watada, et al.	UPW filed an appeal from Order No. 2424 denying its motion to reopen the case.	Order Affirming Agency-Appellee Hawaii Labor Relations Board's Order Nos. 2424 and 2425 dated February 8, 2007 issued on 4/22/08. UPW filed motion for reconsideration. Court denied reconsideration; final order pending submission.
Civ. No. 07-1-0457-03 Case No. CE-01-594	UPW v. Robert Watada, et al.	UPW filed an appeal from Order No. 2425 denying its motion to reopen the case.	Consolidated with Civ. 07-1-0456-03.
No. 28802 Civil No. 07-1-0529-03 Case No. CE-01-627	UPW v. Kenneth Nakamatsu	UPW filed an appeal from Order No. 2432 granting motion for summary judgment.	Case was consolidated with Civ. 07-1-0612-04. Court remanded to Board in light of ICA's order for stay of Dec. 452. Judgment filed 10/10/07. UPW appealed Order to IAC. Pending decision.
Civ. 07-1-0612-04 Case No. CE-01-627	UPW v. Kenneth Nakamatsu	City filed an appeal from Order No. 2432 granting UPW's motion for summary judgment.	Consolidated with Civ. 07-1-0529-03.

COURT CASES IN FY 2008

Case No.	Parties	Concerns	Status
No. 29037 Civ. 07-1-0708-04 Case No. 06-5(CE)	Del Monte Fresh Produce (Hawaii), Inc.; Edward C. Littleton; Stacie Sasagawa; Tim Ho; Dixon Suzuki; and Del Monte Fresh Produce Company v. ILWU and HLRB	Del Monte filed an appeal from Dec. No. 464 finding Respondents guilty of prohibited practices.	First Circuit Court affirmed Board Decision No. 464, dated March 21, 2007, on 2/1/08. Judgment and Notice of Judgment filed on 2/1/08. Del Monte filed appeal to IAC. Pending briefing.
No. 28953 Civ. 07-1-1265-07 Case Nos.: DR-01-93a, DR-10-93b	Linda Lingle v. UPW and HGEA	State filed an appeal from Dec. 470 pertaining to subpoenas of union records.	First Circuit Court issued Order Reversing Hawaii Labor Relations Board's Decision No. 470, Findings of Fact, Conclusions of Law and Order on 1/4/08. Judgment filed on 1/4/08. UPW filed appeal to IAC. Reversed the Board. IAC dismissed appeal for lack of appellate jurisdiction on 6/2/08.
Civ. 07-1-1366-08 Case No. CE-01-594	UPW v. Clifford Lum	City filed an appeal from Dec. 471.	Court issued Order Affirming Hawaii Labor Relations Board Decision No. 471 dated June 29, 2007 in Case No. CE-01-634 and Order Denying Respondents - Appellants' Motion for Stay Pending Appeal filed on August 24, 2007, on 4/15/08.
Civ. 07-3-314 3d Cir Civ. 07-1-1397 Case No. CE-01-	UPW v. Patricia Hamamoto and Connections	Patricia Hamamoto and Connections filed an appeal from Order No. 2457.	Case transferred to Third Circuit. Pending decision.
Civ. No. 07-1-1616-08 Case No. CE-01-594	Debra Pimentel v. UPW and HLRB	Employee appealed Order No. 2460 dismissing her complaint.	First Circuit Court remanded the case to the Board for further proceedings on 1/3/08. Order No. 2519 granting UPW's Motion to Dismiss Complaint and/or for Summary Judgment issued on 6/15/08. Pending further briefing.
S.P. 07-1-0054	HLRB v. Patricia Hamamoto and UPW	Petition to Enforce	Court issued Order Granting Petition for Enforcement on 12/14/07; Court filed Judgment and Notice of Judgment on 12/14/07.
Civ. 07-1-2312-12 Case No. OSH 2007-6	International Roofing and Building Construction, Inc. v. DLIR and HLRB	Employer filed appeal from Decision No. 22.	First Circuit court affirmed Board Decision No. 22, dated November 6, 2007. Judgment and Notice of Entry of Judgment issued on 5/5/08.
S.P. 07-1-0434	UPW and PSD	UPW filed motion to compel Chair to render arbitration awards in two cases.	Order Denying Union's Motion to Compel Arbitration Awards or for Court Appointment of Arbitrators, filed on December 28, 2007 issued on 2/1/08.
Civ. 08-1-0023 Case No. CU-10-248	PSD v. UPW and HLRB	State filed an appeal from Dec. 2478 dismissing a prohibited practice charge against the Union for violating an arbitration award.	Circuit Court remanded to Board (6/30/08); Pending submission of order.
Civ. 08-1-0885-05 Case No. CE-01-655	UPW v. Milton Arakawa, et al.	UPW appealed from Order No. 2499.	Pending briefing schedule.