

Hilo, Hawaii  
Tuesday, February 18, 2003

The regular meeting of the Civil Service Commission, County of Hawaii, was held in the conference room of the Department of Civil Service, 101 Pauahi Street, Suite 2, Hilo, Hawaii, on Tuesday, February 18, 2003.

**Present:**

Ms. Diana Kahler, Chair Pro Tem  
Ms. Kaliko Chun, Member  
Mr. Clifford Kaminaka, Member  
Mr. Clarence Souza, Member  
Mr. Harry Freitas, Deputy Corporation Counsel  
Mr. Michael R. Ben, Director of Personnel  
Ms. Velma Y. Menezes, Secretary-Reporter

**Excused:**

Ms. Jeanne Yagi, Chair

Ms. Kahler, Chair Pro Tem, called the meeting to order at 9:30 a.m.

**MINUTES OF JANUARY 21, 2003**

**MOTION:** Mr. Souza moved that the minutes of January 21, 2003 be approved as circulated. The motion was seconded by Mr. Kaminaka and unanimously carried.

## COMMUNICATIONS

A) Communication No. 03-03, Notice of Filing of Petition for Declaratory Ruling; and Notice of Deadline for Filing Petitions for Intervention in the matter of the appeal of Wade P. Amador.

To brief the new Commissioners, Mr. Ben explained that this matter involves an appeal filed by Mr. Amador. A question arose as to whether or not the Commission had jurisdiction to hear the appeal, as Mr. Amador had also alleged discrimination in his appeal. Under the Commission rules and under State law, whenever there's a question of jurisdiction, the matter has to go before the Hawaii Labor Relations Board.

Mr. Ben informed the Commission that the County did not intervene in the matter. Initially, Mr. Akama did have concerns, but after reviewing it closer, he decided not to intervene.

**MOTION:** Mr. Souza moved that Communication No. 03-03 be received and filed. The motion was seconded by Mr. Kaminaka and unanimously carried.

B) Communication No. 03-04, dated February 6, 2003, from Dudley T. Akama, Deputy Corporation Counsel, requesting a continuance of Reed D. Becker's appeal hearing scheduled for February 18, 2003.

C) Communication No. 03-05, from Reed Becker, relating that he has no objections to the continuance of his appeal hearing scheduled for February 18, 2003.

**MOTION:** Mr. Kaminaka moved that Communication Nos. 03-04 and 03-05 be received and filed. The motion was seconded by Mr. Souza and unanimously carried.

## UNFINISHED BUSINESS

### **A) Elect Chair and Vice Chair for Calendar Year 2003**

**MOTION:** Mr. Souza nominated Ms. Yagi as Chair. The motion was seconded by Ms. Chun and unanimously carried.

Ms. Yagi was elected Chair for calendar year 2003.

**MOTION:** Mr. Souza nominated Ms. Kahler as Vice Chair. The motion was seconded by Mr. Kaminaka and unanimously carried.

Ms. Kahler was elected Vice Chair for calendar year 2003.

## DIRECTOR'S REPORT

Mr. Ben reported the following:

1) Negotiations are critical right now. Negotiations for Fire have just been completed. There were two weeks of hearing in arbitration for the new contract to be effective July 1, 2003. A decision will be forthcoming 30 days after the briefs are filed.

Mediations are currently in session for SHOPO. A few items were wrapped up, but the money items, such as wages, will end up going to arbitration.

By law, for Fire and for police officers, the resolution to any negotiations is arbitration, as compared to all the other bargaining units where there's no arbitration provision, and employees are free to strike.

All the HGEA units, which represents the clerical, real property tax appraisers, planners, etc., and UPW (Unit 1, blue collar workers) are going into mediation. Mediation is a 30-day process to try and get matters resolved. If they fail to get matters

resolved, then they're headed towards the job action. Technically that date is April 14 but since the contracts are still in effect until June 30 and the contracts have a no strike provision, they wouldn't be able to legally strike until July 1.

2) Mr. Ben does not plan to fill Mr. Takahashi's position right now, but he is trying to work out an arrangement with Corporation Counsel to have a Deputy Corporation Counsel assigned full-time to Civil Service to service the department in employment matters. If they are able to reach an agreement, that person will be occupying Mr. Takahashi's former office and handling the duties that he had fulfilled. The attorney will also assist workers' comp with his/her expertise.

3) Ms. Larkin has been working with the Police Department, which is undergoing the same strategic planning process that the Fire Department recently went through. Ms. Larkin works with the top leaders in the department to work on mission and value statements. Three big departments are currently involved in this process—Fire, Parks and Recreation, and now Police.

4) At the Commission's next meeting, Mr. Ben plans to have the division chiefs give a brief presentation in their respective areas to orient the two new Commissioners.

#### NEXT MEETING DATE

The Commission scheduled its next meeting for March 18, 2003 at 9:30 a.m., followed by Mr. Reed Becker's appeal hearing at 10:30 a.m.

#### ADJOURNMENT

The meeting adjourned at 9:49 a.m.

**Submitted by,**

**Secretary, Civil Service Commission**

**APPROVED:**

**Jeanne E. Yagi  
Chair**

**vym**