

NO. CAAP-15-0000420

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

CIVIL NO. 03-1-0546-03

IN THE MATTER OF
UNITED PUBLIC WORKERS, AFSCME, LOCAL 646, AFL-CIO,
Complainant-Appellant-Appellant,

vs.

TIMOTHY A. HOUGHTON, DEPUTY DIRECTOR, DEPARTMENT OF
ENVIRONMENTAL SERVICES, CITY AND COUNTY OF HONOLULU;
LORI M.K. KAHIKINA, DIRECTOR, DEPARTMENT OF
ENVIRONMENTAL SERVICES, CITY AND COUNTY OF HONOLULU;
CAROLEE C. KUBO, DIRECTOR, DEPARTMENT OF HUMAN RESOURCES,
CITY AND COUNTY OF HONOLULU; AND KIRK CALDWELL, MAYOR,
CITY AND COUNTY OF HONOLULU,
Respondents-Appellees-Appellees,

and

HAWAII LABOR RELATIONS BOARD, JAMES B. NICHOLSON, CHAIRPERSON;
ROCK B. LEY, BOARD MEMBER; AND SESNITA A.D. MOEPONO,
BOARD MEMBER,
Agency-Appellees-Appellees.

FOR PUBLICATION IN WEST'S HAWAI'I REPORTS AND PACIFIC REPORTER

CIVIL NO. 03-1-0552-03

IN THE MATTER OF
UNITED PUBLIC WORKERS, AFSCME, LOCAL 646, AFL-CIO,
Complainant-Appellee-Appellant,

vs.

TIMOTHY A. HOUGHTON, DEPUTY DIRECTOR, DEPARTMENT OF
ENVIRONMENTAL SERVICES, CITY AND COUNTY OF HONOLULU;
LORI M.K. KAHIKINA, DIRECTOR, DEPARTMENT OF
ENVIRONMENTAL SERVICES, CITY AND COUNTY OF HONOLULU;
CAROLEE C. KUBO, DIRECTOR, DEPARTMENT OF HUMAN RESOURCES,
CITY AND COUNTY OF HONOLULU; AND KIRK CALDWELL, MAYOR,
CITY AND COUNTY OF HONOLULU,
Respondents-Appellants-Appellees,

and

HAWAII LABOR RELATIONS BOARD, JAMES B. NICHOLSON, CHAIRPERSON;
ROCK B. LEY, BOARD MEMBER; AND SESNITA A.D. MOEPOHO,
BOARD MEMBER,
Agency-Appellees-Appellees.

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT

ORDER DENYING UNITED PUBLIC WORKERS, AFSCME, LOCAL 646, AFL-CIO'S
MOTION FOR RECONSIDERATION OF THE OPINION OF THE COURT

(By: Nakamura, Chief Judge, and Leonard, J.,
with Foley, J., dissenting separately)

Upon consideration of "United Public Workers, AFSCME,
Local 646, AFL-CIO's Motion for Reconsideration of the Opinion of
the Court" (Motion for Reconsideration) filed on November 14,
2016, the papers in support, and the record and files in this
case,

IT IS HEREBY ORDERED that the Motion for
Reconsideration is denied.

DATED: Honolulu, Hawai'i, November 23, 2016.

On the motion:

Herbert R. Takahashi
Rebecca L. Covert
(Takahashi and Covert)
Attorneys for Complainant-
Appellant-Appellant

Chief Judge

Associate Judge