

NO. 26347

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

In the Matter of the Arbitration Between
UNITED PUBLIC WORKERS, AFSCME, LOCAL 646, AFL-CIO,
Petitioner/Union-Appellee

vs.

CITY AND COUNTY OF HONOLULU, DEPARTMENT OF ENVIRONMENTAL
SERVICES, COLLECTIONS SYSTEM,
Respondent/Employer-Appellant
(S.P. NO. 03-1-0401)

2007 OCT 26 PM 1:24
E.M. RIMANDO
INTERMEDIATE COURTS
STATE OF HAWAII

FILED

In the Matter of the Arbitration Between
UNITED PUBLIC WORKERS, AFSCME, LOCAL 646, AFL-CIO,
Petitioner/Union-Appellee

vs.

CITY AND COUNTY OF HONOLULU, DEPARTMENT OF ENVIRONMENTAL
SERVICES, COLLECTIONS SYSTEM (Grievance of A_P_re: submittal to
alcohol breathalyzer test; Section 11 and 63; CZ-02-25; 2002-42),
Respondents/Appellants
(S.P. NO. 03-1-0400)

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS
(S.P. NOS. 03-1-0401 and 03-1-0400)

ORDER

(By: Duffy J.)

Upon consideration of Petitioner/Union-Appellee United
Public Workers, AFSCME, Local 646, AFL-CIO's Motion to Dismiss
City's Appeal and for Order of Remand to Circuit Court for
Further Proceedings on Backpay, the papers in support and in
response, and the record herein,

IT IS HEREBY ORDERED that the motion is dismissed
inasmuch as the application for writ of certiorari was dismissed
as improvidently accepted.

DATED: Honolulu, Hawai'i, October 26, 2007.

Herbert R. Takahashi
and Rebecca L. Covert
for petitioner/union-
appellee on the motion

Kama E. Duggan
Associate Justice

John S. Mukai,
Deputy Corporation Counsel,
for respondent/employer-
appellant on the response

