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To: Brandon W. Lee, Labor Relations, DOE



**HAWAII STATE TEACHERS ASSOCIATION
VOLUNTARY LABOR ARBITRATION RULES
DEMAND FOR ARBITRATION**

CERTIFIED MAIL NO. 7018 0040 0000 1593 7427

Date: October 1, 2021

To: Department of Education
P.O. Box 2360
Honolulu, HI 96804

The undersigned, a party to an Arbitration Agreement contained in the collective bargaining agreement dated July 1, 2021, which agreement provides as follows:

If a claim made by the Association or teacher has not been satisfactorily resolved, the Association may present a request for arbitration of the grievance within ten (10) days after receipt of the decision.

Hereby demands arbitration thereunder.

The employer responded to this matter on September 30, 2021, indicating they would take “no further action on this matter.” The employer’s response can only be interpreted as a refusal to follow and comply with the terms of the collective bargaining agreement.

GRIEVANT: **HSTA**
All Worksites
(HSTA Grievance #O-22-04)

NATURE OF DISPUTE:

The increase of positive COVID-19 cases and employer's failure to consistently implement health and safety guidelines have created an unsafe working environment. Thousands of quarantined staff and students has required employees to engage in telework while on leave, increase their working hours to implement blended instructional delivery (simultaneous instruction), and caused other substantive changes in the working conditions of bargaining unit 05 employees. The employer is violating the collective bargaining agreement by refusing to negotiate the impact of the changing working conditions.

REMEDY SOUGHT:

- 1. Require the Employer to properly consult and meaningfully bargain with the Union prior to the implementation of any directive, policy or mandate, including the Employer’s response to COVID-19;**
- 2. Refrain from any and all retaliatory action against the grievants for filing this grievance;**
- 3. Make grievants whole, to include but not limited to, any compensation or leave lost or out of pocket expenses incurred as a result of or related to the Employer’s directive, policy or mandate.**

You are hereby requested that a representative of the Department of Education meet with a representative of the Association to select an arbitrator as provided for in Article V, Section I.

Signed

A handwritten signature in black ink, appearing to read 'Adrienne', is written over a horizontal line.

Title: Deputy Executive Director
Address: 1200 Ala Kapuna Street
Honolulu, HI 96819
Phone: 833-2711