



**HAWAI'I STATE
TEACHERS
ASSOCIATION**

March 6, 2026

Sean Bacon
Assistant Superintendent
Office of Talent Management
Hawai'i State Department of Education
650 Iwilei Road, Suite 300
Honolulu, HI 96817
sean.bacon@k12.hi.us

1200 Ala Kapuna Street • Honolulu, Hawai'i 96819
Tel: (808) 833-2711 • Fax: (808) 839-7106 • Web: www.hsta.org

Osa Tui, Jr.
President

Logan Okita
Vice President

Cheney Kaku
Secretary-Treasurer

Andrea Eshelman
Executive Director

*Certified Mail 9589 0710 5270 0077 0253 16
Return Receipt Requested*

Dear Assistant Superintendent Bacon:

Re: Hawai'i Labor Relations Board Case, Final Judgment, #1CCV-24-1706

I am writing in follow up to the Hawai'i State Teachers Association's (HSTA) November 25, 2025 letter regarding the Hawai'i Department of Education's (HIDOE) administrative appeal of Hawai'i Labor Relations Board (HLRB) Decision No. 526, issued October 25, 2024, regarding Bargaining Unit 05 (BU 05) employees and HIDOE's implementation of a repricing plan for school years 2022–2024.

In our November 25 letter we inquired regarding Judge John M. Tonaki's denial of the HIDOE administrative appeal in Civil No. 1CCV-24-1706, to which Nicole Nitta replied on your behalf with the following:

On behalf of Assistant Superintendent Sean Bacon, the Department acknowledges receipt of your letter dated November 25, 2025, regarding Hawai'i Labor Relations Board Case, Administrative Appeal, #1CCV-24-1706. Oral arguments were heard by the Honorable John M. Tonaki, on November 25, 2025, and the Department is currently waiting for the written order to be filed. The Department has been, and continues to be, in communication with the Department of Attorney General regarding next steps, and the Department will provide the HSTA an update as soon as possible.

The court issued its written order on February 2, 2026 regarding the appeal. Consistent with your request that we wait to hear from the court, we held discussions in abeyance pending that order. With the order now issued, we would like to continue negotiations, and the obligations identified in Decision No. 526 remain outstanding. As such, HSTA reiterates its previous requests for information, to confirm compliance with the HLRB's order.

Pursuant to Article IV of the Collective Bargaining Agreement, HSTA reiterates its prior requests for the following information and updates regarding HIDOE's May 4, 2025 communication:

- A. Copies of the personnel action forms reflecting the salary adjustments for the three complainants, to allow HSTA to confirm HIDOE's implementation of the HLRB order.
- B. A copy of the June 2, 2025 memorandum regarding Decision No. 526 and confirmation that all schools and offices prominently displayed the memorandum for 60 consecutive days.
- C. Confirmation of HIDOE's timeline and plans for making similar adjustments for the 2,221¹ employees identified as similarly affected by the failure to consider prior teaching experience in the repricing action.
- D. Any updates to the preliminary list of similarly affected employees provided to HSTA on May 4, 2025.

HSTA requests a complete written response to the items above no later than Monday, March 30, 2026. In addition, to ensure clarity moving forward, HSTA formally requests a meeting with HIDOE to discuss the Department's implementation plans and timelines, and to ensure similarly affected employees are provided salary adjustments to reflect prior teaching experience. Please provide your availability for a meeting between March 30 and April 20, 2026.

If HIDOE does not intend to take action for the 2,221 similarly affected employees, please provide a written explanation and the basis for that determination.

Please be advised that if HIDOE does not provide the requested information or does not indicate its intent to comply with Decision No. 526, HSTA will have no choice but to return to the Hawai'i Labor Relations Board to enforce the decision and seek all appropriate remedies.

This request is made consistent with BU 05 employees' collective bargaining rights and does not diminish their entitlement to HSTA's representation. The requested information may be transmitted via email to aeshelman@hsta.org

Sincerely,



Andrea Eshelman
Executive Director

- C: Keith T. Hayashi, Superintendent
Deputy Superintendents
Roy Takumi, Board of Education Chair
Amanda Donlin, Supervising Deputy Attorney General, Employment Law Division
Jill Suzuki, Director, Employee Relations Branch, OTM
J N. Musto, Chief Negotiator, Office of Governor Josh Green, M.D.
Osa Tui, Jr., President, HSTA

¹ Noting the preliminary list provided to HSTA on May 4, 2025 reflected 2,221 individuals as having 1 or more years of prior teaching experience at the time of their hire by HIDOE.