

INTERMEDIATE COURT OF APPEALS OF THE STATE OF HAWAI‘I

Lonnell Reginald Wideman v. HMS Construction Company

Wideman v. HMS Construction Co. · No. CAAP-XX-XXXXXXX · Decided January 20, 2026

SUMMARY

The Hawai‘i Intermediate Court of Appeals affirmed an order compelling arbitration and dismissing Lonnell Reginald Wideman’s complaint against HMS Construction Company. The court held that, as a union member covered by a collective bargaining agreement containing an arbitration provision, Wideman was bound by the agreement’s grievance procedure.

CASE DETAILS

COURT	Intermediate Court of Appeals of the State of Hawai‘i
WRITING FOR THE COURT	Katherine G. Leonard, Presiding Judge; Keith K. Hiraoka, Associate Judge; Kimberly T. Guidry, Associate Judge
JURISDICTION	Intermediate Court of Appeals of the State of Hawai‘i
DECIDED	January 20, 2026
DOCKET	CAAP-XX-XXXXXXX
DISPOSITION	affirmed
PROCEDURAL POSTURE	Wideman appealed from the circuit court's order granting HMS's motion to compel arbitration and dismissing his complaint.
STANDARD OF REVIEW	De novo review applies to a ruling on a motion to compel arbitration.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Lonnell Reginald Wideman v. HMS Construction Company

TOPICS

- employment arbitration
- collective bargaining
- labor law
- appellate procedure
- standard of review

PRACTICE AREAS

- employment law
- labor law
- contracts
- appellate procedure

QUESTIONS PRESENTED

1. Whether Wideman, as a union member covered by Local 368's collective bargaining agreement with HMS, was bound by the agreement's grievance procedure and arbitration provision despite not personally signing an arbitration agreement.
2. Whether the circuit court properly compelled arbitration and dismissed the complaint.

HOLDINGS

1. A union member covered by a collective bargaining agreement is bound by the agreement, including its grievance procedure and arbitration provision, even if the member did not personally sign the agreement.
2. The circuit court properly compelled arbitration and dismissed Wideman's complaint.

KEY QUOTATIONS

“As a member of Bargaining Unit 3 (BU 03) of HGEA, Poe was bound by the terms of the collective bargaining agreement between Employer and HGEA.” (at 2)

“As a union member covered by the CBA, Wideman is bound by the CBA, including its grievance procedure.” (at 2)

FACTUAL BACKGROUND

Wideman was a member of the Laborers' International Union of North America, Local 368, which had a collective bargaining agreement with HMS Construction Company. Local 368 dispatched Wideman to work for six months on the West Oahu Solar Project, but HMS did not allow him to work or return him to Local 368. Wideman alleged that this conduct violated the collective bargaining agreement.

PROCEDURAL HISTORY

Wideman filed a complaint alleging that HMS violated a collective bargaining agreement by refusing to allow him to work after Local 368 dispatched him to HMS. HMS moved to compel arbitration and dismiss the complaint. The Circuit Court of the First Circuit granted the motion by order entered December 1, 2023, and Wideman appealed.

DISPOSITION

affirmed

CASES CITED

- *Douglass v. Pflueger Hawai‘i, Inc.*, 110 Hawai‘i 520, 135 P.3d 129 (2006)
- *Poe v. Hawai‘i Labor Relations Board*, 105 Hawai‘i 97, 94 P.3d 652 (2004)
- *Brown v. KFC National Management Co.*, 82 Hawai‘i 226, 921 P.2d 146 (1996)
- *Siopes v. Kaiser Foundation Health Plan, Inc.*, 130 Hawai‘i 437, 312 P.3d 869 (2013)

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