

STATE OF HAWAII
HAWAII LABOR RELATIONS BOARD

In the Matter of	)	CASE NOS.:	CE-02-276a
	)		CE-03-276b
HAWAII GOVERNMENT EMPLOYEES	)		CE-04-276c
ASSOCIATION, AFSCME, LOCAL 152,	)		CE-06-276d
	)		CE-08-276e
Complainant,	)		CE-09-276f
	)		CE-13-276g
and)		
	)	ORDER NO. 1256	
BENJAMIN J. CAYETANO, Governor,)		
State of Hawaii,	)	ORDER GRANTING RESPONDENT'S	
	)	MOTION FOR PARTICULARIZATION	
Respondent.	)	OF THE COMPLAINT	
_____)		

ORDER GRANTING RESPONDENT'S MOTION
FOR PARTICULARIZATION OF THE COMPLAINT

On November 6, 1995, Respondent BENJAMIN J. CAYETANO, Governor, State of Hawaii (State), by and through his attorneys, filed a motion for particularization with the Hawaii Labor Relations Board (Board). The State contends that the allegations of the complaint filed in this matter by the HAWAII GOVERNMENT EMPLOYEES ASSOCIATION, AFSCME, LOCAL 152, AFL-CIO (HGEA) are so vague that Respondent cannot reasonably be required to frame an answer thereto. The State thus requests clarification as to the specific provisions of the collective bargaining agreements which the HGEA alleges were violated by the State of Hawaii. In addition, the State requests that the HGEA set forth particular facts which support the specific violations of §§ 89-13(a)(1) through (10), HRS, as alleged in its Complaint.

After reviewing the Complaint filed in this matter, the Board agrees with Respondent that the Complaint does not

specifically set forth factual allegations to which Respondent can be required to frame an answer. Thus, the Board hereby grants Respondent's Motion for Particularization of the Complaint.

Complainant shall file a Particularization of the Prohibited Practice Complaint which sets forth in separate paragraphs factual allegations which identify the provisions of the applicable collective bargaining agreements which the Complainant contends have been violated. In addition, the Complainant shall set forth facts which establish the manner in which the State's actions constitute violations of §§ 89-13(a)(1) through (10), HRS.

The Board hereby directs the Complainant to file with this Board the original and five (5) copies of the requested particularization, with proof of service upon Respondent's counsel, no later than 4:30 p.m. of the fifth working day after service of this order. If the Complainant fails to file and serve the Particularization in a timely manner, the Board may dismiss the subject Prohibited Practice Complaint.

Respondent is directed to file with the Board the original and five (5) copies of the Answer, with proof of service upon Complainant, no later than 4:30 p.m. of the fifth working day after service of Complainant's Particularization. Failure by Respondent to file an answer in a timely manner may constitute an admission of the material facts alleged in the complaint and a waiver of a hearing.

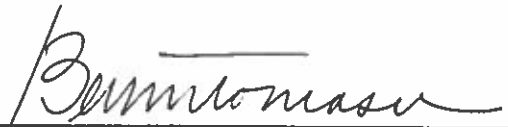
HAWAII GOVERNMENT EMPLOYEES ASSOCIATION, AFSCME, LOCAL 152, AFL-CIO
and BENJAMIN J. CAYETANO, Governor, State of Hawaii; CASE NOS.:
CE-02-276a, CE-03-276b, CE-04-276c, CE-06-276d, CE-08-276e,
CE-09-276f, CE-13-276g

ORDER NO. 1256

ORDER GRANTING RESPONDENT'S MOTION FOR PARTICULARIZATION OF THE
COMPLAINT

DATED: Honolulu, Hawaii, November 14, 1995.

HAWAII LABOR RELATIONS BOARD


BERT M. TOMASU, Chairperson


RUSSELL T. HIGA, Board Member


SANDRA H. EBESU, Board Member

Copies sent to:

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