

STATE OF HAWAII

HAWAII LABOR RELATIONS BOARD

In the Matter of	)	CASE NOS.:	CE-02-281a
	)		CE-03-281b
HAWAII GOVERNMENT EMPLOYEES	)		CE-04-281c
ASSOCIATION, AFSCME, LOCAL 152,	)		CE-09-281d
AFL-CIO,	)		CE-13-281e
	)		
Complainant,	)	ORDER NO.	1263
	)		
and	)	ORDER GRANTING RESPONDENT'S	
	)	MOTION FOR PARTICULARIZATION	
CHIEF JUSTICE RONALD MOON,	)	OF THE COMPLAINT	
Supreme Court of the State of	)		
Hawaii,	)		
	)		
Respondent.	)		
	)		

ORDER GRANTING RESPONDENT'S MOTION  
FOR PARTICULARIZATION OF THE COMPLAINT

On November 14, 1995, Respondent CHIEF JUSTICE RONALD MOON, Supreme Court of the State of Hawaii (MOON), by and through his attorneys, filed a motion for particularization with the Hawaii Labor Relations Board (Board). Respondent MOON 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. Respondent MOON requests clarification as to the specific provisions of the collective bargaining agreements which the HGEA alleges were violated by Respondent. In addition, Respondent MOON 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 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 answer in a timely manner may constitute an admission of the material facts alleged in the complaint and a waiver of a hearing.

DATED: Honolulu, Hawaii, November 17, 1995.

HAWAII LABOR RELATIONS BOARD

  
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BERT M. TOMASU, Chairperson

HAWAII GOVERNMENT EMPLOYEES ASSOCIATION, AFSCME, LOCAL 152,  
AFL-CIO; CASE NOS.: CE-02-281a, CE-03-281b, CE-04-281c,  
CE-09-281d, CE-13-281e  
ORDER NO. 1263  
ORDER GRANTING RESPONDENT'S MOTION FOR PARTICULARIZATION OF  
THE COMPLAINT

  
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RUSSELL T. HIGA, Board Member

  
\_\_\_\_\_  
SANDRA H. EBESU, Board Member

Copies sent to:

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Douglas H. Inouye, Deputy Attorney General  
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