

STATE OF HAWAII
HAWAII LABOR RELATIONS BOARD

In the Matter of)	CASE NO. CE-01-280
MICHAEL L. LAST,)	ORDER NO. 1295
Complainant,)	ORDER
and)	
DEPARTMENT OF PUBLIC WORKS,)	
County of Hawaii,)	
Respondent.)	

ORDER

After reviewing the record and arguments presented by the parties, the Board will dismiss the instant complaint. In order to assist the Board and expedite a ruling in this matter, the prevailing party, the DEPARTMENT OF PUBLIC WORKS, County of Hawaii (Employer) is directed to submit a proposed order, including proposed findings of fact and conclusions of law, reflecting the Board's ruling that:

1) the complaint is barred by the statute of limitations because it was filed more than ninety days after the alleged violation;


2) the complaint fails to state a claim for relief under § 89-13(a)(8), Hawaii Revised Statutes (HRS), because the contract provisions cited do not prohibit the disclosure of the information at issue in this case; and

3) the Board lacks jurisdiction to enforce the provisions of the federal Privacy Act of 1974.


The Employer shall submit the proposed order within fifteen days of this order.

DATED: Honolulu, Hawaii, March 4, 1996.

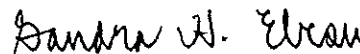
HAWAII LABOR RELATIONS BOARD



BERT M. TOMASU, Chairperson



RUSSELL T. HIGA, Board Member



SANDRA H. EBESU, Board Member

Copies sent to:

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Ivan M. Torigoe, Deputy Corporation Counsel
Joyce Najita, IRC