

STATE OF HAWAII

HAWAII LABOR RELATIONS BOARD

In the Matter of	)	CASE NOS.:	CE-01-374a
	)		CE-10-374b
UNITED PUBLIC WORKERS, AFSCME,	)		
LOCAL 646, AFL-CIO,	)	ORDER NO.	1577
	)		
Complainant,	)	ORDER DENYING RESPONDENTS'	
	)	MOTION TO STRIKE COMPLAIN-	
and	)	ANT'S RESPONSE TO BOARD	
	)	ORDER REQUIRING PARTICU-	
JAMES TAKUSHI, Director,	)	LARIZATION OF COMPLAINT	
Department of Human Resources	)	AND RESPONDENTS' RENEWAL	
Development, State of Hawaii;	)	OF THEIR MOTION FOR PAR-	
ANN MORIMOTO, Department of	)	TICULARIZATION; NOTICE OF	
Human Resource Development,	)	PREHEARING CONFERENCE AND	
State of Hawaii and SOLETTE	)	HEARING ON PROHIBITED	
PERRY, Department of Human	)	PRACTICE COMPLAINT	
Resource Development, State of	)		
Hawaii,	)		
	)		
Respondents.	)		
	)		

ORDER DENYING RESPONDENTS' MOTION TO STRIKE COMPLAINANT'S  
RESPONSE TO BOARD ORDER REQUIRING PARTICULARIZATION  
OF COMPLAINT AND RESPONDENTS' RENEWAL OF THEIR  
MOTION FOR PARTICULARIZATION; NOTICE OF PREHEARING  
CONFERENCE AND HEARING ON PROHIBITED PRACTICE COMPLAINT

On December 24, 1997, Respondents filed a Motion to Strike Complainant's Response to Board Order Requiring Particularization of Complaint and Respondents' Renewal of their Motion for Particularization with the Hawaii Labor Relations Board (Board). Respondents contend that Complainant's response fails to comply with the Board's Order requiring particularization because the allegations are general and conclusory and deficient in providing the specific facts needed to frame an answer. Respondents argue that Complainant failed to state when Respondents

took what actions and how each action constitutes a prohibited practice.

After reviewing the record in this case, the Board hereby denies the instant motion. The Board finds that Complainant's response is sufficient to provide Respondents with notice of its allegations in order that an answer may be framed. Complainant alleges that Respondent SOLETTE PERRY, inter alia, assisted in the preparation of campaign literature to Frank Hirazumi (Hirazumi); provided Hirazumi with a list of names of delegates to the union convention and their addresses; prepared and sent out campaign literature to the delegates to the convention; made telephone calls in support of Hirazumi's candidacy; obtained and used State resources to promote Hirazumi's candidacy; conferred with Hirazumi and his supporters for campaign related activities, and otherwise promoted Hirazumi's candidacy. Complainant alleges that Respondents JAMES TAKUSHI and ANN MORIMOTO authorized a labor relations representative to engage in campaign activities and ratified PERRY's conduct. Complainant thus alleges that Respondents violated §§ 89-3, 89-13(a)(1), (2), and (7), HRS.

YOU ARE HEREBY NOTIFIED that the Board, pursuant to § 89-5(b)(4), HRS, and Administrative Rules § 12-42-47, will conduct a prehearing conference on the above-entitled prohibited practice complaint on January 30, 1998 at 9:00 a.m., in the Board's hearings room, Room 434, 830 Punchbowl Street, Honolulu, Hawaii. The purpose of the prehearing conference is to arrive at a settlement or clarification of issues, to identify and exchange

witness and exhibit lists, if any, and to the extent possible, reach an agreement on facts, matters or procedures which will facilitate and expedite the hearing or adjudication of the issues presented. The parties shall file a Prehearing Statement which addresses the foregoing matters with the Board two days prior to the prehearing conference.

YOU ARE ALSO NOTIFIED that the Board will conduct a hearing, pursuant to §§ 89-5(b)(4) and 8-14, HRS, and Administrative Rules §§ 12-42-49 and 12-42-8(g) on the instant complaint on February 6, 1998 at 9:00 a.m. in the above-mentioned hearings room. The purpose of the hearing is to receive evidence and arguments on whether Respondent committed prohibited practices as alleged by the Complainant. The hearing may continue from day to day until completed.

The parties shall submit to the Board four copies of all exhibits identified and offered into the record. Additional copies for opposing counsel shall also be provided.

All parties have the right to appear in person and to be represented by counsel or other representatives.

Auxiliary aids and services are available upon request, call Dolorita Kato at 586-8610, (808) 586-8847 (TTY), or 1-888-569-6859 (TTY neighbor islands). A request for reasonable accommodations should be made no later than ten working days prior to the needed accommodations.


UNITED PUBLIC WORKERS, AFSCME, LOCAL 646, AFL-CIO and JAMES  
TAKUSHI, Director, Department of Human Resources Development,  
State of Hawaii; et al.; CASE NOS.: CE-01-374a, CE-10-374b  
ORDER NO. 1577

ORDER DENYING RESPONDENTS' MOTION TO STRIKE COMPLAINANT'S RESPONSE  
TO BOARD ORDER REQUIRING PARTICULARIZATION OF COMPLAINT AND  
RESPONDENTS' RENEWAL OF THEIR MOTION FOR PARTICULARIZATION;  
NOTICE OF PREHEARING CONFERENCE AND HEARING ON PROHIBITED PRAC-  
TICE COMPLAINT

DATED: Honolulu, Hawaii, January 9, 1998.

HAWAII LABOR RELATIONS BOARD

  
BERT M. TOMASU, Chairperson

  
RUSSELL T. HIGA, Board Member

  
CHESTER C. KUNITAKE, Board Member

Copies sent to:

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Joyce Najita, IRC