

STATE OF HAWAII

HAWAII LABOR RELATIONS BOARD

In the Matter of)	CASE NO. CU-10-150
)	
MYRON D. WIDRIG,)	ORDER NO. 1681
)	
Complainant,)	ORDER GRANTING RESPONDENT
)	UNITED PUBLIC WORKERS,
and)	AFSCME, LOCAL 646, AFL-
)	CIO'S MOTION FOR PARTICU-
UNITED PUBLIC WORKERS, AFSCME,)	LARIZATION OF THE COMPLAINT
LOCAL 646, AFL-CIO,)	
)	
Respondent.)	
)	

ORDER GRANTING RESPONDENT UNITED PUBLIC WORKERS, AFSCME, LOCAL 646, AFL-CIO'S MOTION FOR PARTICULARIZATION OF THE COMPLAINT

On November 2, 1998, Respondent UNITED PUBLIC WORKERS, AFSCME, LOCAL 646, AFL-CIO (UPW), by and through its counsel, filed a motion for particularization of the instant complaint with the Hawaii Labor Relations Board (Board). UPW contends that the complaint is vague because Complainant MYRON D. WIDRIG (WIDRIG) fails to state how he believes that UPW failed to fairly represent him. The UPW further assumes that WIDRIG refers to a ten-day suspension imposed by letter dated January 15, 1998.

After reviewing the instant motion and the allegations set forth in the complaint, the Board notes that Complainant alleges that his union agent failed to provide information to clear WIDRIG of the allegations in an investigation. Further, Complainant alleges that the union failed to represent him when it "denied a meeting with [his] accusers" at step 2 of the grievance

process. However, while WIDRIG refers to allegations concerning specific inmates, he fails to identify the specific grievance involved. In addition, Complainant fails to specify the dates when the alleged violations occurred. Thus, the Board finds that the complaint is vague and should be clarified in order to put Respondent on notice as to the charges being made. The Board therefore grants Respondent's motion and directs Complainant to particularize his complaint by specifying the grievance involved, when the alleged failure to represent occurred, and the manner in which the union allegedly failed to represent him.

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

Respondent is directed to file with the Board, the original and five (5) copies of their 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. The failure of Respondent to timely file its Answer shall constitute an admission of material facts alleged in the Complaint and Particularization and waiver of a hearing.

DATED: Honolulu, Hawaii, November 19, 1998.

HAWAII LABOR RELATIONS BOARD

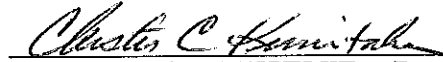


BERT M. TOMASU, Chairperson

MYRON D. WIDRIG and UNITED PUBLIC WORKERS, AFSCME, LOCAL 646,
AFL-CIO; CASE NO. CU-10-150
ORDER NO. 1681
ORDER GRANTING RESPONDENT UNITED PUBLIC WORKERS, AFSCME, LOCAL 646,
AFL-CIO'S MOTION FOR PARTICULARIZATION OF THE COMPLAINT



RUSSELL T. HIGA, Board Member



CHESTER C. KUNITAKE, Board Member

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