

STATE OF HAWAII  
HAWAII LABOR RELATIONS BOARD

In the Matter of	)	CASE NO. CU-01-172
JAYNE LEIGH KAHEALANI FLORINO,	)	ORDER NO. 1931
Complainant,	)	ORDER DENYING UPW'S MOTION
and	)	FOR PARTICULARIZATION OF
JUNE RABAGO; ROLAND KADOTA; and	)	COMPLAINT; NOTICE OF HEARING
UNITED PUBLIC WORKERS, AFSCME,	)	ON UPW'S MOTION TO DISMISS
LOCAL 646, AFL-CIO,	)	AND/OR FOR SUMMARY JUDG-
Respondents.	)	MENT

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ORDER DENYING UPW'S MOTION FOR  
PARTICULARIZATION OF COMPLAINT; NOTICE OF HEARING  
ON UPW'S MOTION TO DISMISS AND/OR FOR SUMMARY JUDGMENT

On September 18, 2000, Respondents, by and through the UNITED PUBLIC WORKERS, AFSCME, LOCAL 646, AFL-CIO (UPW), filed a Motion for Particularization of the instant complaint with the Hawaii Labor Relations Board (Board). Respondents' counsel states in an affidavit submitted in support of the motion that the complaint is vague and without particularization to the claims asserted, the UPW cannot reasonably frame an answer to the complaint. Respondents further requested that the deadline for answering the complaint be extended until after the Complainant responded to a Board Order. Thereafter, on September 20, 2000, the UPW filed an Answer to the Complaint as well as a Motion to Dismiss and/or for Summary Judgment with the Board.

Although the Board finds the arguments in Respondents' Motion for Particularization to be meritorious and persuasive, it also finds that the filing of UPW's detailed answer renders the Board's consideration on Respondents' Motion for Particularization moot. The purpose of the motion for particularization is to clarify the prohibited practice charges in order that the Respondents may answer.<sup>1</sup> The Board therefore denies Respondents' Motion for Particularization.

NOTICE IS HEREBY GIVEN that the Board will conduct a hearing on the UPW's Motion to Dismiss and/or for Summary Judgment pursuant to Hawaii Revised Statutes §§ 89-5 and 89-14 and Hawaii Administrative Rules § 12-42-8, on October 9, 2000 at 9:30 a.m. by conference

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<sup>1</sup>It is the Board's practice to rule on the motion for particularization and if denied, require the respondent to answer forthwith or if granted, to order the Complainant to particularize within a given time frame and the respondent to answer.

call. Complainant will be contacted at her telephone number on file with the Board. Respondents' counsel is requested to appear in the Board's hearing room, Room 434, 830 Punchbowl Street, Honolulu, Hawaii, at the designated time.

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

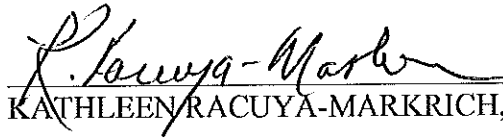
Auxiliary aids and services are available upon request, call Mrs. Kato at (808) 586-8610, (808) 586-8847 (TTY), or 1 (888) 569-6859 (TTY neighbor islands). A request for reasonable accommodations should be made no later than ten working days prior to the needed accommodation.

DATED: Honolulu, Hawaii, September 21, 2000.

HAWAII LABOR RELATIONS BOARD



BRIAN K. NAKAMURA, Chairperson



KATHLEEN RACUYA-MARKRICH, Board Member

Copies sent to:

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