

STATE OF HAWAII
HAWAII LABOR RELATIONS BOARD

In the Matter of

RICHARD KEALOHA CONDON,

Complainant,

and

RAYMOND BREWER, Civil Rights
Compliance Officer, Department of Public
Safety, State of Hawaii and FRANK LOPEZ,
Administrator, Oahu Intake Service Center,
Department of Public Safety, State of Hawaii,

Respondents.

CASE NO. CE-03-495

ORDER NO. 2061

ORDER GRANTING RESPONDENT
RAYMOND BREWER'S MOTION
FOR PARTICULARIZATION

ORDER GRATING RESPONDENT
RAYMOND BREWER'S MOTION FOR PARTICULARIZATION

On February 7, 2002, Respondent RAYMOND BREWER, Civil Rights Compliance Officer, Department of Public Safety, State of Hawaii (BREWER), by and through his counsel, filed a Motion for Particularization with the Hawaii Labor Relations Board (Board). BREWER contends that the complaint is vague because Complainant failed to provide specific facts setting forth how BREWER violated the stated articles of the collective bargaining agreement (conduct).

After reviewing the Complaint and considering the arguments raised, the Board agrees that Complainant does not specify how BREWER violated the contractual provisions. The Board therefore directs Complainant to file a particularization with the Board specifying facts as to how BREWER violated the provisions of the applicable contract.


The Board hereby directs Complainant to file the original and five copies of the requested Particularization, with proof of service upon Respondents, 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 requested Particularization in a timely manner, the Board shall dismiss the subject Prohibited Practice Complaint.

Respondent BREWER is directed to file with this Board the original and five copies of his Answer addressing the Particularization, 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 BREWER to file his Answer in a timely manner may constitute an admission of the material facts alleged in the Complaint and Particularization and a waiver of a hearing.

DATED: Honolulu, Hawaii, February 11, 2002.

HAWAII LABOR RELATIONS BOARD


BRIAN K. NAKAMURA, Chair


CHESTER C. KUNITAKE, Member


KATHLEEN RACUYA-MARKRICH, Member

Copies sent to:

Richard Kealoha Condon
Edward John Mulligan, Deputy Attorney General
Joyce Najita, IRC