

STATE OF HAWAII
HAWAII LABOR RELATIONS BOARD

In the Matter of

UNITED PUBLIC WORKERS, AFSCME,
LOCAL 646, AFL-CIO,

Complainant,

and

CLIFFORD LUM, Manager and Chief
Engineer, Board of Water Supply, City and
County of Honolulu,

Respondent.

CASE NO. CE-01-643

ORDER NO. 2517

ORDER GRANTING UPW'S MOTION
TO GRANT RESPONDENT'S MOTION
FOR SUBSTITUTION OF EXHIBITS FILED
ON 10/11/07 AND TO WITHDRAW
COMPLAINT

ORDER GRANTING UPW'S MOTION TO
GRANT RESPONDENT'S MOTION FOR SUBSTITUTION
OF EXHIBITS FILED ON 10/11/07 AND TO WITHDRAW COMPLAINT

On June 5, 2008, Complainant UNITED PUBLIC WORKERS, AFSCME, LOCAL 646, AFL-CIO (UPW or Union), by and through its counsel, filed a motion to grant Respondent's Motion for Substitution of Exhibits filed on 10/11/07 and to withdraw complaint with the Hawaii Labor Relations Board (Board). The UPW requested that the Board issue an order granting Respondent's Motion for Substitution of Exhibits filed on October 11, 2007¹ and to approve the withdrawal of the instant complaint based upon a resolution reached between Dayton Nakanelua, UPW State Director and Respondent on June 4, 2008.

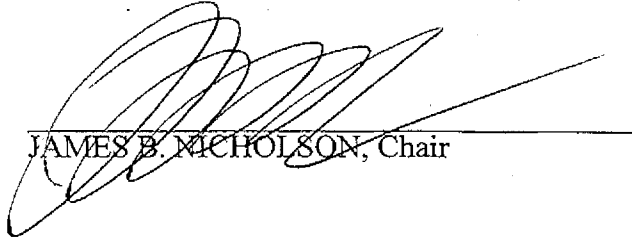
Based on the foregoing and a review of the record, the Board hereby grants Respondent's Motion for Substitution of Exhibits filed on October 11, 2007. Accordingly, Exhibits E, I, and J originally submitted with Respondent's Motion for Summary Judgment on September 10, 2007 which were segregated by the Board will be destroyed.

¹On September 10, 2007, Respondent filed a Motion for Summary Judgment with the Board with Exhibits E, I, and J which contained personal and confidential information. On October 11, 2007, Respondent filed a Motion for Substitution of Exhibits where Respondent requested that the Board segregate and destroy all copies of Exhibits E, I, and J and replace them with Amended Exhibits E, I, and J where the personal and confidential information had been redacted.

Hawaii Administrative Rules (HAR) § 12-42-44 provides that a complaint can be withdrawn at any time prior to the issuance of a final decision and order upon motion and with the consent of the Board. Based upon the UPW's motion asserting that the underlying dispute as been resolved, the Board hereby grants UPW's motion to withdraw its complaint.

DATED: Honolulu, Hawaii, June 6, 2008.

HAWAII LABOR RELATIONS BOARD



JAMES B. NICHOLSON, Chair



EMORY J. SPRINGER, Member



SARAH R. HIRAKAMI, Member

Copies sent to:

Herbert R. Takahashi, Esq.
John Mukai, Deputy Corporation Counsel