

STATE OF HAWAII  
HAWAII LABOR RELATIONS BOARD

In the Matter of

UNIVERSITY OF HAWAII  
PROFESSIONAL ASSEMBLY,

Complainant,

and

BOARD OF REGENTS, University of  
Hawaii, State of Hawaii,

Respondent.

CASE NO. CE-07-674

ORDER NO. 2536

ORDER GRANTING COMPLAINANT'S  
MOTION FOR LEAVE TO AMEND  
COMPLAINT, FILED ON JULY 17, 2008

ORDER GRANTING COMPLAINANT'S MOTION FOR  
LEAVE TO AMEND COMPLAINT, FILED ON JULY 17, 2008

On July 17, 2008, Complainant UNIVERSITY OF HAWAII PROFESSIONAL ASSEMBLY (UHPA), by and through its counsel, filed a Motion for Leave to Amend Complaint with the Hawaii Labor Relations Board (Board.). UHPA seeks to amend its complaint by citing statutory violations of Hawaii Revised Statutes (HRS) §§ 89-9 and 89-13(a)(7) and (8), in addition to the HRS § 89-13(a)(5) allegation in its original complaint filed with the Board. UHPA contends that the additional statutory citations provide a more comprehensive basis for the complaint without expanding upon the facts and circumstances underlying the alleged violations. UHPA alleges that it sought to orally amend its complaint to conform to its Prehearing Statement during the prehearing conference held on July 9, 2008, but the Board denied UHPA's motion because of the requirement of a written motion in Hawaii Administrative Rules § 12-42-8(g)(3)(C). Respondents did not oppose the amendment of the complaint.

After reviewing the record and the instant motion, the Board, in its discretion, hereby grants UHPA's motion to amend its complaint pursuant to Hawaii Administrative Rules § 12-42-43.<sup>1</sup>

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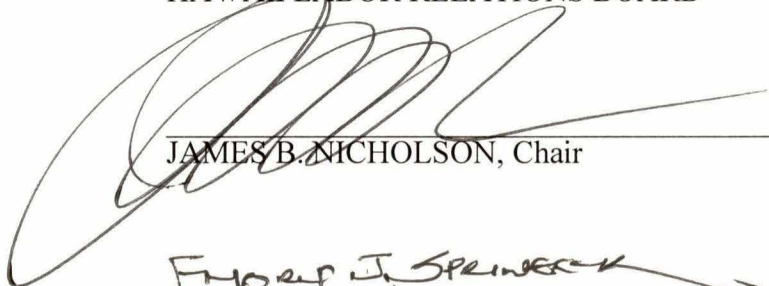
<sup>1</sup>Hawaii Administrative Rules § 12-42-43 provides as follows:

Any complaint may be amended in the discretion of the board at any time prior to the issuance of a final order thereon.

Complainant shall forthwith file its First Amended Prohibited Practice Complaint with the Board. The Board will thereupon issue a Notice to Respondents of the First Amended Prohibited Practice Complaint.

DATED: Honolulu, Hawaii July 29, 2008.

HAWAII LABOR RELATIONS BOARD



JAMES B. NICHOLSON, Chair



EMORY J. SPRINGER, Member



SARAH R. HIRAKAMI, Member

Copies sent to:

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