

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-07-673

ORDER NO. 2552

ORDER GRANTING COMPLAINANT
UNIVERSITY OF HAWAII
PROFESSIONAL ASSEMBLY'S
MOTION TO WITHDRAW
COMPLAINT, FILED ON
SEPTEMBER 16, 2008

ORDER GRANTING COMPLAINANT
UNIVERSITY OF HAWAII PROFESSIONAL ASSEMBLY'S
MOTION TO WITHDRAW COMPLAINT, FILED ON SEPTEMBER 16, 2008

On September 16, 2008, Complainant UNIVERSITY OF HAWAII PROFESSIONAL ASSEMBLY (UHPA or Union), by and through its counsel, filed a Motion to Withdraw Complaint with the Hawaii Labor Relations Board (Board). Complainant's counsel states in a declaration that the instant complaint alleges that Respondent failed to consult with the Union regarding the planning and establishment of the TIM/UHM¹ overseas campus in Singapore in violation of Hawaii Revised Statutes (HRS) § 89-9(c); since the filing of the complaint, representatives of the Union and the employer have met to confer and consult about the TIM/UHM Singapore initiative on August 18, 2008 and September 8, 2008; on September 10, 2008, Complainant filed Case No. CE-07-688 alleging that the employer's unilateral decisions to subcontract bargaining unit work at TIM/UHM and to misappropriate intellectual property from bargaining unit faculty members of TIM/UHM to nonbargaining faculty members of TIM/UHM Singapore violates HRS §§ 89-9(a), 89-13(a)(1), (7), and (8); and in light of the meetings held and the filing of the new charges, Complainant seeks to withdraw the instant Complaint as amended and close this case.

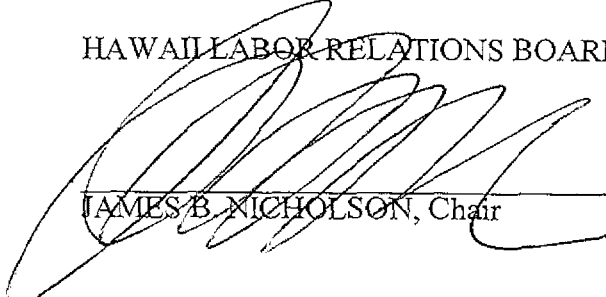
By letter dated September 25, 2008, Respondent's counsel indicated that she had no objection to the withdrawal of the Complaint.

¹TIM/UHM refers to the School of Travel Industry Management at the University of Hawaii at Manoa.

Hawaii Administrative Rules (HAR) § 12-42-44 provides that a complaint can be withdrawn at any time prior to the issuance of a final decision and order upon motion and with the consent of the Board.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 on the foregoing, the Board hereby grants Complainant's request to withdraw the instant complaint, with prejudice.

DATED: Honolulu, Hawaii, September 29, 2008

HAWAII LABOR RELATIONS BOARD



JAMES B. NICHOLSON, Chair



EMORY J. SPRINGER, Member

Copies sent to:

David A. Sgan, Esq.
Ruth I. Tsujimura, Esq.