

STATE OF HAWAII
HAWAII LABOR RELATIONS BOARD

In the Matter of

UNITED PUBLIC WORKERS, AFSCME,
LOCAL 646, AFL-CIO and HAWAII
GOVERNMENT EMPLOYEES
ASSOCIATION, AFSCME, LOCAL 646,
AFL-CIO,

Complainant,

v.

KATHLEEN WATANABE, Director,
Department of Human Resources
Development, State of Hawaii; LINDA
LINGLE, Governor, State of Hawaii;
PATRICIA HAMAMOTO, Superintendent,
Department of Education, State of Hawaii and
BOARD OF EDUCATION, State of Hawaii,

Respondents.

CASE NOS.: CE-01-537a
CE-02-537b
CE-03-537c
CE-04-537d

ORDER NO. 2601

ORDER GRANTING HAWAII
GOVERNMENT EMPLOYEES
ASSOCIATION, AFSCME, LOCAL 152,
AFL-CIO'S MOTION TO WITHDRAW
SECOND AMENDED PROHIBITED
PRACTICE COMPLAINT FILED APRIL 1,
2004, AS TO CLAIMS MADE BY HAWAII
GOVERNMENT EMPLOYEES
ASSOCIATION, AFSCME, LOCAL 152,
AFL-CIO, FILED ON MARCH 9, 2009

ORDER GRANTING HAWAII
GOVERNMENT EMPLOYEES ASSOCIATION, AFSCME,
LOCAL 152, AFL-CIO'S MOTION TO WITHDRAW SECOND
AMENDED PROHIBITED PRACTICE COMPLAINT FILED APRIL 1, 2004,
AS TO CLAIMS MADE BY HAWAII GOVERNMENT EMPLOYEES
ASSOCIATION, AFSCME, LOCAL 152, AFL-CIO, FILED ON MARCH 9, 2009

On March 9, 2009, Complainant HAWAII GOVERNMENT EMPLOYEES ASSOCIATION, AFSCME, LOCAL 152, AFL-CIO (HGEA), by and through its counsel, filed a Motion to Withdraw Second Amended Prohibited Practice Complaint Filed April 1, 2004 (Second Amended Complaint), as to Claims Made by Hawaii Government Employees Association, AFSCME, Local 152, AFL-CIO with the Hawaii Labor Relations Board (Board). Complainant HGEA's counsel states in a declaration attached to the motion that the HGEA seeks to withdraw the Second Amended Complaint only as to claims made by the HGEA and be dismissed from the case because the HGEA no longer wished to pursue these claims. Complainant HGEA's counsel also states that the withdrawal of HGEA's claims will not prejudice any party remaining in this case.

Hawaii Administrative Rules (HAR) § 12-42-44 provides that a complaint can be withdrawn at any time prior to the issuance of a final decision and order upon motion and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 motion to withdraw the Second Amended Complaint as to its claims.

DATED: Honolulu, Hawaii, April 6, 2009.

HAWAII LABOR RELATIONS BOARD



JAMES B. NICHOLSON, Chair



EMORY J. SPRINGER, Member

Copies sent to:

Lisa A Gruebner, Esq.
Herbert R. Takahashi, Esq.
James E. Halvorson, Deputy Attorney General