

STATE OF HAWAII
HAWAII LABOR RELATIONS BOARD

In the Matter of

HAWAII GOVERNMENT EMPLOYEES
ASSOCIATION, AFSCME, LOCAL 152,
AFL-CIO,

Complainant,

and

LINDA LINGLE, Governor, State of Hawaii;
CLAYTON FRANK, Director, Department
of Public Safety, State of Hawaii; JOHN R.
LUM, Administrator, Sheriff Division,
Department of Public Safety; and
DEPARTMENT OF PUBLIC SAFETY,
State of Hawaii,

Respondents.

CASE NOS.: CE-03-704a
CE-04-704b

ORDER NO. 2613

ORDER GRANTING HGEA/
AFSCME'S MOTION TO WITHDRAW
PROHIBITED PRACTICE
COMPLAINT FILED ON APRIL 21,
2009

ORDER GRANTING HGEA/AFSCME'S MOTION TO WITHDRAW
PROHIBITED PRACTICE COMPLAINT FILED ON APRIL 21, 2009

On May 29, 2009, Complainant HAWAII GOVERNMENT EMPLOYEES ASSOCIATION, AFSCME, LOCAL 152, AFL-CIO (HGEA/AFSCME), by and through its counsel, filed a Motion to Withdraw Prohibited Practice Complaint Filed on April 21, 2009 (Motion to Withdraw) with the Hawaii Labor Relations Board (Board). Complainant's counsel states in a declaration, dated May 29, 2009, that on May 20, 2009, counsel was informed by opposing counsel that Respondents had issued an internal Memorandum, dated May 20, 2009, rescinding the seven Policies and Procedures challenged by the HGEA/AFSCME in this Complaint. Based on the foregoing, Complainant moved the Board for an order granting the withdrawal of its prohibited practice complaint filed on April 21, 2009.

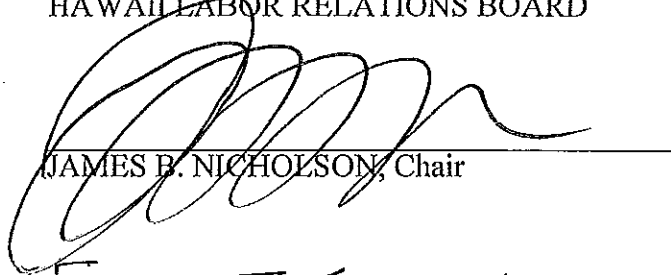
By letter dated June 2, 2009, Respondents above-named, by and through their counsel, stated they had no opposition to Complainant's Motion to Withdraw.

Hawaii Administrative Rules (HAR) § 12-42-44 provides that a complaint can be withdrawn at any time prior to the issuance of a final decision and order upon motion and with the consent of the Board.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 for withdrawal of its Complaint in this matter. The Board


appreciates the cooperative efforts of the parties and counsels to resolve this matter without further litigation.

DATED: Honolulu, Hawaii, June 4, 2009.

HAWAII LABOR RELATIONS BOARD



JAMES B. NICHOLSON, Chair



EMORY J. SPRINGER, Member

Copies sent to:

Peter Liholiho Trask, Esq.
Julian T. White, Deputy Attorney General