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Board of Regents, University of Hawaii

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-07-819

ORDER NO. 2908

ORDER GRANTING RESPONDENT
BOARD OF REGENTS, UNIVERSITY OF
HAWAII'S MOTION TO DISMISS,
FILED MARCH 8, 2013

Hearing:

Date: March 25, 2013

Time: 1:00 p.m.

**ORDER GRANTING RESPONDENT BOARD OF REGENTS,
UNIVERSITY OF HAWAII'S MOTION TO DISMISS, FILED MARCH 8, 2013**

On February 21, 2013, Complainant University of Hawaii, Professional Assembly ("Complainant") filed a Prohibited Practice Complaint ("Complaint") against Respondent Board of Regents, University of Hawaii ("Respondent") with the Hawaii Labor Relations Board ("Board"). The Complaint alleged that Respondent had violated H.R.S §89-13(a)(5) and H.R.S §89-13(a)(8) by refusing a request to allow the Complainant to be present for interviews conducted as part of an internal investigation.

On March 8, 2013, Respondent filed a Motion to Dismiss (“Motion”).

On March 15, 2013, Complainant filed a Memorandum in Opposition to Respondent’s Motion to Dismiss.

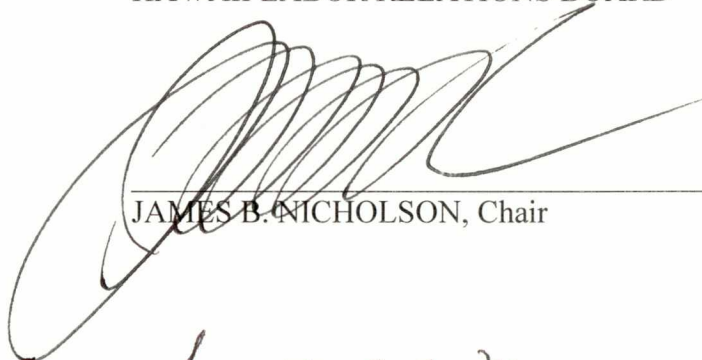
On March 25, 2013, the Board held a hearing on Respondent’s Motion and heard oral arguments by the parties.

The Board having heard oral arguments, reviewed all of the memoranda, finds that the Complaint fails to state a claim upon which relief may be granted.

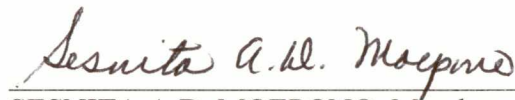
IT IS HEREBY ORDERED that Respondent’s Motion to Dismiss, filed on March 8, 2013 is hereby GRANTED.

DATED: Honolulu, Hawaii, April 23, 2013.

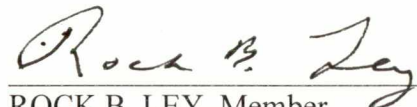
HAWAII LABOR RELATIONS BOARD



JAMES B. NICHOLSON, Chair



SESNITA A.D. MOEPONO, Member



ROCK B. LEY, Member

APPROVED AS TO FORM:



T. ANTHONY GILL
WADE C. ZUKERAN
DAVID SGAN
LINDA M. ARAGON

Attorneys for Complainant
University of Hawaii Professional Assembly

In the Matter of University of Hawaii Professional Assembly v. Board of Regents, University of Hawaii, Case No. CE-07-819; ORDER GRANTING RESPONDENT BOARD OF REGENTS, UNIVERSITY OF HAWAII'S MOTION TO DISMISS, FILED MARCH 8, 2013