

STATE OF HAWAII
HAWAII LABOR RELATIONS BOARD

In the Matter of
HAWAII FIRE FIGHTERS ASSOCIATION,
IAFF, LOCAL 1463, AFL-CIO

Complainant,

and

KIRK CALDWELL, Mayor, City and County
of Honolulu; MANUEL P. NEVES, Fire Chief,
Honolulu Fire Department, City and County of
Honolulu; RONALD RICO, Assistant Chief of
Fire Operations, Honolulu Fire Department;
City and County of Honolulu; HONOLULU
FIRE DEPARTMENT, City and County of
Honolulu

Respondents.

CASE NO. CE-11-848

ORDER NO. 3030

ORDER GRANTING HFFA/IAFF'S
MOTION TO AMEND PROHIBITED
PRACTICE COMPLAINT FILED
SEPTEMBER 17, 2014

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On September 17, 2014, Complainant Hawaii Fire Fighters Association, IAFF, Local 1463, AFL-CIO (HFFA) filed a prohibited practice complaint (Complaint) with the Hawaii Labor Relations Board (Board) against the Respondents KIRK CALDWELL, Mayor, City and County of Honolulu; MANUEL P. NEVES, Fire Chief, Honolulu Fire Department, City and County of Honolulu; RONALD RICO, Assistant Chief of Fire Operations, Honolulu Fire Department; City and County of Honolulu; and HONOLULU FIRE DEPARTMENT, City and County of Honolulu (Respondents).

On September 29, 2014, Respondents filed Respondents' Answer to Prohibited Practice Complaint.

On October 6, 2014, HFFA filed HFFA/IAFF's Pre-Hearing/Settlement Conference Statement.

On October 7, 2014, Respondents filed Respondents' Prehearing Conference Statement.

On October 10, 2014, the Board held a prehearing/settlement conference. At that conference, HFFA's attorney indicated that by October 17, 2014, HFFA would file a motion to amend the Complaint to specify the particular collective bargaining agreement provisions allegedly violated by Respondents. The parties agreed that the Respondents would have ten days to file an Answer to the Amended Complaint; and that a second prehearing conference should be held following the filing of these pleadings.

On October 20, 2014, HFFA filed HFFA/IAFF Motion to Amend Prohibited Practice Complaint Filed on September 17, 2014 (Motion to Amend Complaint) based on Hawaii Administrative Rules (HAR) §12-42-43, the Memorandum in Support of Motion, and the entire records and files contained herein. Pursuant to HAR §12-42-8(g)(3)(C)(iii), Respondents had five days after service of the Motion to file any opposition to the Motion. No opposition has been filed.

HAR §12-42-43 provides that "Any complaint may be amended in the discretion of the Board at any time prior to issuance of a final order." Accordingly, based on the Motion to Amend Complaint and review of the record herein, the Board in its discretion hereby grants the HFFA's Motion to Amend Complaint pursuant to HAR §12-42-43.

Complainant shall immediately file its Amended Prohibited Practice Complaint with the Board (Amended Complaint), as attached to its Motion to Amend Complaint. Upon receipt of the Amended complaint the Board will issue a Notice to Respondents of the Amended Complaint (Notice). Respondents shall have ten days after service of this Notice to file an answer to the Amended Complaint.

DATED: Honolulu, Hawaii, November 12, 2014

HAWAII LABOR RELATIONS BOARD



JAMES B. NICHOLSON, Chair



SESNITA A.D. MOEPONO, Member


ROCK B. LEY, Member

Copies sent to

Peter Liholiho Trask, Esq.
Elisabeth A.K. Contrades, Deputy Corporation Counsel

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