



**EFiled: Nov 03 2015 12:06PM HAST
Transaction ID 58109071**

STATE OF HAWAII Case No. CE-11-846

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; HONOLULU
FIRE DEPARTMENT, City and County of
Honolulu; WILLIAM P. KENOI, Mayor,
County of Hawaii; DARREN ROSARIO,
Fire Chief, Hawaii Fire Department;
HAWAII FIRE DEPARTMENT, County
of Hawaii; BERNARD P. CARVALHO,
JR., Mayor, County of Kauai; ROBERT
WESTERMAN, Fire Chief, Kauai Fire
Department, County of Kauai; KAUAI
FIRE DEPARTMENT, County of Kauai;
ALAN ARAKAWA, Mayor, County of
Maui; JEFFREY A. MURRAY, Fire Chief,
Department of Fire and Public Safety,
County of Maui; and DEPARTMENT OF
FIRE AND PUBLIC SAFETY, County of
Maui,

Respondents.

CASE NO. CE-11-846

ORDER NO. 3113

ORDER GRANTING HFFA/IAFF
MOTION TO WITHDRAW WITH
PREJUDICE PROHIBITED PRACTICE
COMPLAINT FILED ON SEPTEMBER 5,
2014

I do hereby certify that this is a full, true and
correct copy of the original on file in this office.

Hawaii Labor Relations Board

ORDER GRANTING HFFA/IAFF MOTION TO WITHDRAW WITH
PREJUDICE PROHIBITED PRACTICE COMPLAINT FILED ON SEPTEMBER 5, 2014

On September 5, 2014, Complainant HAWAII FIRE FIGHTERS ASSOCIATION, IAFF, LOCAL 1463, AFL-CIO (HFFA) filed with the Hawaii Labor Relations Board (Board) a Prohibited Practice Complaint (Complaint) against Respondents KIRK CALDWELL, Mayor, City and County of Honolulu (City); MANUEL P. NEVES, Fire Chief, Honolulu Fire Department, City and County of Honolulu; HONOLULU FIRE DEPARTMENT, City and County of Honolulu; WILLIAM P. KENOI, Mayor, County of Hawaii; DARREN ROSARIO, Fire Chief, Hawaii Fire Department; HAWAII FIRE DEPARTMENT, County of Hawaii; BERNARD P. CARVALHO, JR., Mayor, County of Kauai; ROBERT WESTERMAN, Fire Chief, Kauai Fire Department, County of Kauai; KAUAI FIRE DEPARTMENT, County of Kauai; ALAN ARAKAWA, Mayor, County of Maui; JEFFREY A. MURRAY, Fire Chief, Department of Fire and Public Safety, County of Maui and DEPARTMENT OF FIRE AND PUBLIC SAFETY, County of Maui (collectively Respondents).

Respondents from Kauai, Maui and Hawaii Counties previously were dismissed by stipulation of the parties. The Kauai Stipulation is dated November 17, 2014; the Maui Stipulation is dated November 10, 2014; and Hawaii Stipulation is dated November 19, 2014.

On November 2, 2015, HFFA filed HFFA/IAFF Motion to Withdraw With Prejudice Prohibited Practice Complaint filed on September 5, 2014 (Motion to Withdraw PPC) pursuant to Section 12-42-8(g)(3)(C) and Section 12-42-44 of the Board's Rules. The Motion to Withdraw PPC was accompanied with the Declaration of Peter Liholiho Trask, attorney for HFFA. Also filed with the Board on November 2, 2015 was that certain Stipulation to "withdraw and/or move to dismiss with prejudice the prohibited practice complaint herein," which was signed by Peter Trask and Elisabeth A.K. Contrades, Deputy Corporation Counsel and attorney for City Respondents.

Withdrawals of a prohibited practice complaint filed with the Board is governed by Section 12-42-44 of the Board's Rules. Section 12-42-44 of the Board's Rules states in part:

Section 12-42-44 Withdrawal. Any complaint may be withdrawn at any time prior to the issuance of a final order thereon, upon motion and with the consent of the board. Whenever the board approves withdrawal of such complaint, the case shall be closed.

With the filing of the Motion to Withdraw PPC, HFFA has met the first two of the three requirements of Section 12-42-44, and the sole issue before this Board is whether to consent to or reject HFFA's request to withdraw the Complaint.

Since the City Respondents joined in the Stipulation, there is no reason to deny HFFA's withdrawal request, the Board hereby approves the withdrawal of the Cpomplaint filed in CE-11-846. This case is closed.

DATED: Honolulu, Hawaii, November 3, 2015.

HAWAII LABOR RELATIONS BOARD



KERRY M. KOMATSUBARA, Chair

SESNITA A.D. MOEPONO, Member

ROCK B. LEY, Member

Copies to:

Peter Liholiho Trask, Esq. Attorney for HFFA

Elisabeth A.K. Contrades, Deputy Corporation Counsel, Attorney for City Respondents