



**EFiled: Jul 20 2016 10:14AM HAST**  
**Transaction ID 59305695**  
**Case No. CE-01-808/CU-01-317**

STATE OF HAWAII

HAWAII LABOR RELATIONS BOARD

In the Matter of

MICHAEL HIKALEA,

Complainant,

and

DEPARTMENT OF ENVIRONMENTAL SERVICES, City and County of Honolulu, DAVID SHIRAISHI, Department of Environmental Services, City and County of Honolulu; KIRK CALDWELL, Mayor, City and County of Honolulu; HOWARD KAHUE, United Public Workers, AFSCME, Local 646, AFL-CIO; BRANDON MCCONNELL, United Public Workers, AFSCME, Local 646, AFL-CIO; LAURIE SANTIAGO, United Public Workers, AFSCME, Local 646, AFL-CIO; and DAYTON NAKANELUA, United Public Workers, AFSCME, Local 646, AFL-CIO,

Respondents.

CASE NOS.: CE-01-808  
CU-01-317

ORDER NO. 3178

ORDER GRANTING MOTION FOR APPROVAL OF WITHDRAWAL OF PROHIBITED PRACTICE COMPLAINT BASED ON SETTLEMENT AGREEMENT

ORDER GRANTING MOTION FOR APPROVAL OF WITHDRAWAL OF PROHIBITED PRACTICE COMPLAINT BASED ON SETTLEMENT AGREEMENT

On July 18, 2016, Respondent UNITED PUBLIC WORKERS, AFSCME, LOCAL 646, AFL-CIO (Union or UPW) filed a Motion for Approval of Withdrawal of Prohibited Practice Complaint Based on Settlement Agreement (Motion) with the Hawaii Labor Relations Board (Board) based on Hawaii Administrative Rules (HAR) §§ 12-42-8(g)(3)(C) and 12-42-44 requesting that the Board approve and consent to a withdrawal of the complaint in the above-entitled matter based on a July 15, 2016 settlement offer by Complainant MICHAEL HIKALEA (Complainant or Hikalea), which was accepted by the Union and the Respondent Employer DEPARTMENT OF ENVIRONMENTAL SERVICES, City and County of Honolulu; DAVID SHIRAISHI, Department of Environmental Services; City and County of Honolulu; and KIRK CALDWELL, Mayor, City and County of Honolulu (collectively the Employer or City).

On July 18, 2016, the City filed City Respondents' Joinder in Union Respondents' Motion for Approval of Withdrawal of Prohibited Practice Complaint Based on Settlement Agreement Filed on July 18, 2016.

On July 19, 2016, Complainant filed Complainant Michael Hikalea's Joinder in and Statement of No Opposition to Motion for Approval of Prohibited Practice Complaint Based on Settlement Agreement.

HAR § 12-42-44 states:

**§ 12-42-44 Withdrawal.** Any complaint may be withdrawn at any time prior to the issuance of a final order thereon, upon motion and with consent of the board.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

Based on the fact that no final order has been issued and the showing that the parties agree regarding the approval of the withdrawal of the Complaint, the Board grants the Motion and approves the withdrawal of the Complaint, and the closing of this case in accordance with HAR § 12-42-44.

This case is hereby dismissed with prejudice and closed.

DATED: Honolulu, Hawaii, July 20, 2016.

HAWAII LABOR RELATIONS BOARD



  
KERRY M. KOMATSUBARA, Chair

  
SESNITA A.D. MOEPONO, Member

  
J.N. MUSTO, Member

Copies to:

Jacob M. Merrill, Esq.  
Herbert R. Takahashi, Esq.  
John Mukai, Deputy Corporation Counsel