

STATE OF HAWAII

HAWAII LABOR RELATIONS BOARD

In the Matter of

UNITED PUBLIC WORKERS, AFSCME,
LOCAL 646, AFL-CIO,

Complainant,

and

ELIZABETH A CHAR, M.D., Director,
Emergency Services Department, City and
County of Honolulu; KENNETH
NAKAMATSU, Director, Department of
Human Resources, City and County of
Honolulu; and MUFI HANNEMANN, Mayor,
City and County of Honolulu,

Respondents.

CASE NO.: CE-10-722

ORDER NO. 3351

ORDER GRANTING, IN PART, AND
DENYING IN PART, UPW'S MOTION TO
WITHDRAW WITHOUT PREJUDICE
PROHIBITED PRACTICE COMPLAINT
FILED ON AUGUST 10, 2009

ORDER GRANTING, IN PART, AND DENYING IN PART,
UPW'S MOTION TO WITHDRAW WITHOUT PREJUDICE
PROHIBITED PRACTICE COMPLAINT FILED ON AUGUST 10, 2009

On March 22, 2018, Complainant UNITED PUBLIC WORKERS, AFSCME, LOCAL 646, AFL-CIO (UPW) filed UPW'S MOTION TO WITHDRAW WITHOUT PREJUDICE PROHIBITED PRACTICE COMPLAINT FILED ON AUGUST 10, 2009 (Motion to Withdraw) with the Hawaii Labor Relations Board (Board).

On April 4, 2018, Respondents ELIZABETH A. CHAR, M.D., Director, Emergency Services Department, City and County of Honolulu; KENNETH NAKAMATSU, Director, Department of Human Resources, City and County of Honolulu; and MUFI HANNEMANN, Mayor, City and County of Honolulu (collectively Respondents) filed RESPONDENTS' STATEMENT OF NO OBJECTION TO UPW'S MOTION TO WITHDRAW WITHOUT PREJUDICE PROHIBITED PRACTICE COMPLAINT FILED ON AUGUST 10, 2009 (Statement of No Opposition).

The Board notes that the Statement of No Opposition was not timely filed within the five days required for response to the Motion to Withdraw under Hawaii Administrative Rules § 12-

42-8(g)(3)(C)(iii). However, because Respondents are not opposing the Motion to Withdraw, the Board finds no prejudice to the Complainant by the untimely filing and accepts the Statement of No Opposition.

Accordingly, the Board grants, in part, and denies, in part, the Motion to Withdraw and dismisses this case with prejudice. This case is closed.

DATED: Honolulu, Hawaii, May 23, 2018.

HAWAII LABOR RELATIONS BOARD

EXCUSED

MARCUS R. OSHIRO, Chair



Sesnita A. D. Moepono
SESNITA A. D. MOEPONO, Member

J. N. Musto
J. N. MUSTO, Member

Copies to:

Herbert R. Takahashi, Esq.
Ernest H. Nomura, Deputy Corporation Counsel