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Transaction ID 62871422  
Case No. 17-CE-01-902**

STATE OF HAWAII

HAWAII LABOR RELATIONS BOARD

In the Matter of

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

Complainant,

and

CHRISTINA KISHIMOTO,  
Superintendent, Department of Education,  
State of Hawai'i,

Respondents.

CASE NO. 17-CE-01-902

ORDER NO. 3439

ORDER GRANTING UPW'S MOTION  
TO AMEND AND WITHDRAW  
MOTION FOR SUMMARY  
JUDGMENT FILED ON NOVEMBER  
12, 2017 AND REPLACE WITH  
AMENDED DOCUMENT

**ORDER GRANTING UPW'S MOTION TO AMEND  
AND WITHDRAW MOTION FOR SUMMARY JUDGMENT  
FILED ON NOVEMBER 13, 2017 AND REPLACE WITH AMENDED DOCUMENT**

On February 26, 2018, Complainant UNITED PUBLIC WORKERS, AFSCME, Local 646, AFL-CIO (Complainant or UPW) filed its MOTION TO EXTRACT AND REPLACE DOCUMENTS CONTAINING PERSONAL INFORMATION AND REPLACE WITH REDACTED VERSIONS (Motion to Extract) with the Hawai'i Labor Relations Board (Board), under Hawai'i Administrative Rules (HAR) § 12-42-8(g)(3)(C). The Motion to Extract requested that UPW be permitted to extract and replace certain pages from attachments to its Prehearing Statement, filed on November 1, 2017 and its Motion for Summary Judgment, filed on November 13, 2017 with redacted versions because such pages include personal information or information in which an individual may have a privacy interest.

On March 12, 2018, the Board in Order No. 3326 granted in part and denied in part the Motion to Extract because the Motion did not comply with HAR § 12-42-8(g)(10) (Amendment of Documents) and HAR § 12-42-8(g)(11) (Retention of Documents by the Board).

On March 23, 2018, Complainant filed its MOTION TO AMEND AND WITHDRAW MOTION FOR SUMMARY JUDGMENT FILED ON NOVEMBER 13, 2017 AND REPLACE WITH AMENDED DOCUMENT (Motion to Amend MSJ) with the Board, under HAR § 12-42-8(g)(10) and HAR § 12-42-8(g)(11). The Motion to Amend MSJ was requested because the original motion for summary judgment contained personal information or information in which an individual may have a privacy interest, and one of its attachments contained confidential information.

The Board did not receive a response to the Motion to Amend MSJ from Respondent CHRISTINA KISHIMOTO, Superintendent, Department of Education, State of Hawai‘i within the five days permitted by HAR § 12-42-8(g)(3)(C)(iii).

For good cause shown, the Board hereby grants Complainant’s Motion to Amend MSJ and orders Complainant to file the Amended Motion for Summary Judgment with the Board within five (5) working days of the date of this order.

DATED: Honolulu, Hawai‘i, January 16, 2019.

HAWAI‘I LABOR RELATIONS BOARD



*Marcus R. Oshiro*

MARCUS R. OSHIRO, Chair

*Sesnita A. D. Moepono*

SESNITA A.D. MOEPONO, Member

*J.N. Musto*

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