

STATE OF HAWAII

HAWAII PUBLIC EMPLOYMENT RELATIONS BOARD

In the Matter of)	
)	
HAWAII STATE TEACHERS)	CASE NOS. DR-05-39 (R)
ASSOCIATION, NEA,)	RA-05-40 (R)
)	
Petitioner,)	ORDER NO. 437
)	
and)	
)	
BOARD OF EDUCATION, State)	
of Hawaii,)	
)	
Employer-)	
Intervenor,)	
)	
and)	
)	
ANN THIEDE, et al.,)	
)	
Intervenors.)	

ORDER GRANTING PETITIONER'S MOTION
 TO WITHDRAW DECLARATORY RULING
 NUMBER TWO WITHOUT PREJUDICE

On January 11, 1982, the Honorable James H. Wakatsuki issued a Decision and Order in Civil Nos. 64377 and 64402, the consolidated appeals from HPERB Decision No. 142. The Decision and Order provided, inter alia:

That Declaratory Ruling number two rendered in Decision Number 142 by the Hawaii Public Employment Relations Board is remanded back to that board for further hearing to render a decision in response to Petitioner's question stated as, "If the job requires any form of teaching certificate, is the employee a 'teacher' who can be included in Unit 5 as described in 89-6(a)(5), HRS?"

All other declaratory rulings and orders issued in HPERB Decision No. 142 were affirmed and upheld. The Notice of Entry of Order was thereafter issued by the Clerk of the Court on January 11, 1982.

Accordingly, on February 2, 1982, a prehearing conference was held. At the conference, counsel for Petitioner Hawaii State Teachers Association made an oral motion to withdraw item number two of its Petition for Declaratory Ruling without prejudice. Counsel for all other parties had no objection to the motion.

There being no objection from the parties, the Board hereby grants Petitioner's motion to withdraw without prejudice. As there are no further matters pending before the Board in these proceedings, this case is closed.

DATED: Honolulu, Hawaii, February 22, 1982.

HAWAII PUBLIC EMPLOYMENT RELATIONS BOARD


MACK H. HAMADA, Chairman


JAMES K. CLARK, Board Member

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