

STATE OF HAWAII  
HAWAII LABOR RELATIONS BOARD

In the Matter of	)	CASE NO. CE-01-122
	)	
UNITED PUBLIC WORKERS, AFSCME,	)	ORDER NO. 723
LOCAL 646, AFL-CIO,	)	
	)	ORDER GRANTING, IN PART,
Complainant,	)	RESPONDENT'S MOTION FOR
	)	PARTICULARIZATION OF
and	)	COMPLAINT
	)	
JOHN WAIHEE, Governor, State	)	
of Hawaii,	)	
	)	
Respondent.	)	
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ORDER GRANTING, IN PART, RESPONDENT'S  
MOTION FOR PARTICULARIZATION OF COMPLAINT

On March 9, 1989, Respondent JOHN WAIHEE, Governor of the State of Hawaii [hereinafter referred to as Respondent], by and through his attorney, filed with this Board a Motion for Particularization of Complaint, together with a supporting affidavit.

Upon review of the aforesaid motion and affidavit and the charges set forth in the complaint, the Board concludes that particularization of the complaint as requested in Paragraph 1 of Respondent's motion should be granted pursuant to Administrative Rules § 12-42-45(b). The particularization as requested in Paragraph 2 of Respondent's motion is hereby denied.

The Board directs the above-named Complainant to file with this Board the original and five (5) copies of the requested

particularization, with proof of service upon Respondent, no later than 4:30 p.m. on the fifth working day after service of this order. With regard to Paragraph F of the allegations of the Complaint, the Particularization should specify the name of the representative of the Employer who allegedly stated that Position Number 35598 would not be vacated by the selectee, the representative's title or position, place of employment, the date the statement was made, the person to whom the statement was made, and the contents of the statement, if known.

If Complainant fails to timely file and serve the Particularization, the Board shall dismiss the subject Prohibited Practice Complaint.

Respondent is directed to file with this Board the original and five (5) copies of the Answer, with proof of service upon Complainant, no later than 4:30 p.m. of the fifth working day after service of Complainant's Particularization. The failure of Respondent to timely file its answer shall constitute an admission of the material facts alleged in the Complaint and Particularization and a waiver of a hearing.

DATED: Honolulu, Hawaii, March 16, 1989.

HAWAII LABOR RELATIONS BOARD

  
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JAMES R. CARRAS, Board Member

  
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GERALD K. MACHIDA, Board Member

Copies sent to:  
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Lawrence Kumabe, Esq.  
Joyce Najita, IRC