

STATE OF HAWAI'I

HAWAI'I LABOR RELATIONS BOARD

In the Matter of

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

Complainant,

and

ERIC HONDA, Acting District Health  
Officer, Department of Health, Hawai'i  
District Office, State of Hawai'i and  
BRUCE ANDERSON, Ph. D., Director,  
Department of Health, State of Hawai'i,

Respondents.

CASE NO. CE-01-747

ORDER NO. 3624

ORDER GRANTING  
COMPLAINANT'S MOTION TO  
WITHDRAW PROHIBITED PRACTICE  
COMPLAINT, FILED JANUARY 22,  
2010 AND CLOSING THE CASE

ORDER GRANTING COMPLAINANT'S MOTION TO WITHDRAW PROHIBITED  
PRACTICE COMPLAINT, FILED JANUARY 22, 2010 AND CLOSING THE CASE

On January 22, 2010, Complainant UNITED PUBLIC WORKERS, AFSCME, LOCAL 646, AFL-CIO (UPW), filed a prohibited practice complaint (Complaint) with the Hawai'i Labor Relations Board (HLRB) against Respondents AARON A. UENO, Acting District Health Officer, Department of Health, Hawai'i District Office, State of Hawai'i and DR. CHIYOME FUKINO, Director, Department of Health, State of Hawai'i (collectively, Respondents) for alleged failure to respond to a request for certain information required for collective bargaining in violation of Hawai'i Revised Statutes § 89-[13](a)(1), (5), (7), and (8).

On July 6, 2020, UPW filed Complainant's Motion to Withdraw Prohibited Practice Complaint Filed January 22, 2010 (Motion to Withdraw)

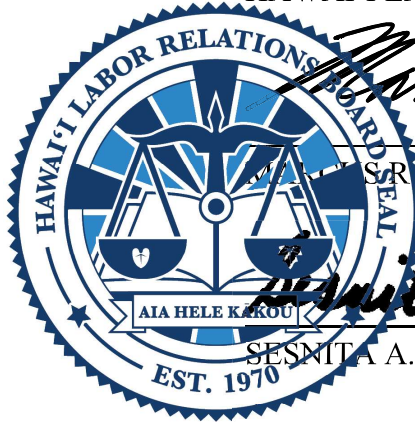
That same day, Respondents filed Respondents Eric Honda, Acting District Health Officer, Bruce Anderson, Ph.D., Director, Department of Health, State of Hawaii's Statement of No

Objection to Complainant's Motion to Withdraw Prohibited Practice Complaint Filed January 22, 2010.

Accordingly, the Board grants the Complainant's Motion to Withdraw. This case is closed.

DATED: Honolulu, Hawai'i, \_\_\_\_\_ July 7, 2020 \_\_\_\_\_.

HAWAI'I LABOR RELATIONS BOARD



*Manu O. Oshiro*

MANU OSHIRO, Chair

*Sesnita A. D. Moepono*

SESNITA A.D. MOEPONO, Member

*J.N. Musto*

J.N. MUSTO, Member

Copies sent to:

Jonathan E. Spiker, Esq.  
James E. Halvorson, Deputy Attorney General

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<sup>1</sup> ERIC HONDA, current Acting District Health Officer, Department of Health, Hawai'i District Office, State of Hawai'i is substituted for Respondent AARON A. UENO, who was named as a Respondent in the Complaint in his capacity as then Acting District Health Officer. Similarly, BRUCE ANDERSON, Ph. D., current Director, Department of Health, State of Hawai'i, is substituted for DR. CHIYOME FUKINO, who was named as a Respondent in her capacity as then-Director, Department of Health, State of Hawai'i. As laid out in the Hawai'i Rules of Civil Procedure (HRCPP) Rule 25(d)(1), when a public officer is a party to an action in an official capacity and during its pendency dies, resigns, or otherwise ceases to hold office, the action does not abate and the officer's successor is automatically substituted as a party; proceedings following the substitution shall be in the name of the substituted party, but any misnomer not affecting the substantial rights of the parties shall be disregarded. The Board has applied the HRCPP where its administrative rules are silent. Dep't of Public Safety, State of Hawaii v. United Public Workers, AFSCME, Local 646, AFL-CIO, Board Case No. CU-10-322, Order No, 2944, at \*2 n. 2 (2013).