

STATE OF HAWAI'I

HAWAI'I LABOR RELATIONS BOARD

In the Matter of

HAWAII GOVERNMENT EMPLOYEES
ASSOCIATION, AFSCME, LOCAL 152,
AFL-CIO,

Complainant(s),

and

DAVID IGE, Governor, State of Hawai'i;
ELIZABETH A. CHAR, M.D., Director,
Department of Health, State of Hawai'i;
KEITH KAWAOKA, Deputy Director,
Environmental Health Administration,
Department of Health, State of Hawai'i;
LYNN NAKASONE, Administrator,
Environmental Health Administrator,
Department of Health, State of Hawai'i;
NANCY BARTTER, Administrative Officer,
Environmental Resources Office, Department
of Health, State of Hawai'i,

Respondent(s).

CASE NO(S). 17-CE-13-904

ORDER NO. 3763

ORDER DISMISSING AND CLOSING
CASE

ORDER DISMISSING AND CLOSING CASE

On June 10, 2021, Respondents DAVID IGE, Governor, State of Hawai'i; ELIZABETH A. CHAR, M.D., Director, Department of Health, State of Hawai'i; KEITH KAWAOKA, Deputy Director, Environmental Health Administration, Department of Health, State of Hawai'i; LYNN NAKASONE, Administrator, Environmental Health Administrator, Department of Health, State of Hawai'i; NANCY BARTTER, Administrative Officer, Environmental Resources Office, Department of Health, State of Hawai'i (Respondents) filed with the Hawai'i Labor Relations Board (Board) a stipulation to dismiss complaint signed by Respondents and Complainant HAWAII GOVERNMENT EMPLOYEES ASSOCIATION, AFSCME, LOCAL 152, AFL-CIO.

Based on this Stipulation, the Board dismisses this case. This case is closed.

DATED: Honolulu, Hawai‘i, June 10, 2021.

HAWAI‘I LABOR RELATIONS BOARD

MARCUS R. OSHIRO, Chair

SESNITA A.D. MOEPONO, Member

J N. MUSTO, Member

Copies sent to:

Stacy Moniz, Advocacy Chief, HGEA
Nelson Nabeta, Deputy Attorney General

¹ Hawai‘i Rules of Civil Procedure (HRCP) Rule 25(d)(1) provides that, 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 HRCP 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). Accordingly, the Board substitutes ELIZABETH A. CHAR, M.D., the current Director for the Department of Health, State of Hawai‘i, for BRUCE ANDERSON, Ph.D., the previous Director for the Department of Health, State of Hawai‘i.