

STATE OF HAWAII

HAWAII LABOR RELATIONS BOARD

In the Matter of

DAMON MURPHY,

Complainant(s),

and

HAWAII STATE TEACHERS
ASSOCIATION,

Respondent(s).

CASE NO(S). 22-CU-05-392

ORDER NO. 3872

MINUTE ORDER

MINUTE ORDER

The Hawaii Labor Relations Board (Board) held a prehearing conference in this case on July 14, 2022. Among other things, the Board discussed the issue of Complainant DAMON MURPHY's (Complainant or Mr. Murphy) standing to bring this case.

Mr. Murphy informed the Board that the previous Principal of Connections Public Charter School (Connections) instructed him to file the prohibited practice complaint (Complaint) based on a directive from the Governing Board of Connections; that Connections had not retained the services of the Attorney General's office in proceeding with this case; and that Mr. Murphy, as the interim Principal of Connections, was representing the Governing Board of Connections. However, Mr. Murphy did not have any documentary proof of the Governing Board's directive available to him at the hearing.

To allow the Board to address the issue of standing, the parties agreed to waive the requirements of Hawaii Revised Statutes (HRS) § 377-9(b) and Hawaii Administrative Rules (HAR) § 12-42-46(b) that the hearing on the merits "be held no less than ten nor more than forty days after the filing of the complaint..."

The Board ordered Mr. Murphy to submit, in writing, any documentary proof that the Governing Board of Connections authorized the filing of this complaint. This authorization must have occurred prior to the filing of the complaint and must have been an action of the Governing Board, rather than the action of individual members.

This proof must be submitted on or before **July 22, 2022 at 4:30 p.m.**

After Mr. Murphy submits his documentary proof, the Board will issue a ruling on the issue of Mr. Murphy's standing to bring this case. The Board will not accept any response to Mr. Murphy's proof.

The Board further cancelled all dates and deadlines set in Order No. 3862, Pretrial Order and Notices, including the deadline for Mr. Murphy's response to Respondent HAWAII STATE TEACHERS ASSOCIATION's Motion to Dismiss. All dates and deadlines will be rescheduled as necessary after the Board's ruling on standing.

DATED: Honolulu, Hawai'i, July 14, 2022.

HAWAII LABOR RELATIONS BOARD

MARCUS R. OSHIRO, Chair

SESNITA A.D. MOEPONO, Member

J N. MUSTO, Member

Copies sent to:

Damon Murphy, Self-Represented Litigant
Keani Alapa, Esq.