



888 Mililani Street, Suite 601  
Honolulu, Hawaii 96813-2991

Telephone: 808.543.0000  
Facsimile: 808.528.4059

[www.hgea.org](http://www.hgea.org)

April 25, 2012

Mr. William J. Aila, Jr., Chairperson  
Department of Land and Natural Resources  
1150 Punchbowl St.  
Honolulu, HI 96813

Dear Mr. Aila:

Our Conservation and Resources Enforcement Officer (CREO) members have expressed serious concerns about the process being used to fill the position of Chief, Division of Conservation and Resources Enforcement (DOCARE) within the Department of Land and Natural Resources (DLNR). And, the Hawaii Government Employees Association has confirmed that the position will be filled through an internal vacancy announcement due to close today. Therefore, it appears more than likely that the individual who is currently serving in that position through a temporary assignment, Mr. Randy Awo, will be selected as the permanent division chief. We are further aware that some of our CREO members recently met with you personally to voice their categorical objection to this readily apparent move to make Mr. Awo the permanent DOCARE Chief. If this indeed comes to pass, there will be continual conflict between DLNR and the Hawaii Government Employees Association.

Already, there have been many grievances filed against this individual, a number of which are going to arbitration. Because of his authoritarian management style and his proclivity to retaliate against anyone who disagrees with him, there is little doubt we will be filing grievances in the future. There are currently several disciplinary grievances which are pending an arbitrator's decision. Additionally, there is a grievance proceeding to arbitration over Mr. Awo's refusal to provide unexpired body armor to, and implement an appropriate body armor maintenance and renewal program for, all DOCARE Officers. This is an unacceptable failure on his part and places the health and safety of our members in jeopardy.

The DLNR has a legal obligation to abide by Chapter 89, HRS and our collective bargaining agreements negotiated with the State of Hawaii. If we continue to see a pattern of willful and deliberate contractual violations within DOCARE, we will give serious consideration to filing a prohibited practice complaint with the Hawaii Labor Relations Board. Under Section 89-13, HRS, it is a prohibited practice for an employer to violate the terms of a collective bargaining agreement or to interfere, restrain or coerce any employee in the exercise of any right guaranteed under Chapter 89, HRS, which includes filing a grievance.

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While it is your decision to select the DOCARE Chief, please be advised that we strongly object to the incumbent being appointed on a permanent basis to that position for these reasons.

Sincerely,



Kevin Mulligan  
Field Services Officer

DLNR/DOCARE Chief Vacancy

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