



County of Hawai'i
Office of the County Clerk
JAMAE K. K. KAWAUCHI
County Clerk

25 Aupuni Street, Suite 1402 • Hilo, Hawai'i 96720
(808) 961-8255 • Fax (808) 961-8912

CONFIDENTIAL

December 23, 2011

Ms. Shyla Ayau
1137 Mililani Street
Hilo, HI 96720

SUBJECT: NOTICE OF PRE-DETERMINATION HEARING

Dear Ms. Ayau:

This letter is to inform you that the County Clerk is contemplating dismissing you from employment as a Senior Election Clerk with the Office of the County Clerk for violations of the alcohol-free workplace policy at the elections warehouse, effective the close of business on 01-06-2012. A pre-determination meeting was scheduled for you on 01-04-2012 at 12:30 p.m. The meeting will be held at 25 Aupuni Street, Suite 201, Hilo, Hawai'i. The pre-determination meeting will afford you a final opportunity to respond to the allegations and findings of our investigation and to articulate why we should not dismiss you. You have the right to have Union representation present at the meeting and your Union is being provided a copy of this letter. Please call Sharon Takata, Administrative Assistant at 961-8532 no later than 12-30-2011 at 4:30 p.m. to confirm your attendance at the meeting. Should you not respond or appear at the meeting, we will proceed with the dismissal action as indicated above.

Very truly yours,

JAMAE K. K. KAWAUCHI
Hawai'i County Clerk

cc: Department of Human Resources
Dominic Yagong, Chairperson, Hawai'i County Council
HGEA

Serving the Interests of the People of Our Island
Hawai'i County is an Equal Opportunity Provider and Employer

EXHIBIT "5."



County of Hawai'i

Office of the County Clerk

JAMAE K. K. KAWAUCHI

County Clerk

25 Aupuni Street, Suite 1402 • Hilo, Hawai'i 96720

(808) 961-8255 • Fax (808) 961-8912

Sent via electronic mail to shyla99@hawaii.edu ; hard copy to follow

CONFIDENTIAL

January 5, 2012

Ms. Shyla Ayau
1137 Mililani Street
Hilo, Hawai'i 96720

Regarding: Notice of Termination

Dear Ms. Ayau:

This letter is to inform you that the County Clerk reviewed the information that you and your union representatives, Ms. Moana Kelii and Mr. Earl Hatada, provided to the County Clerk and to Council Chair Dominic Yagong, at the pre-determination meeting held on January 4, 2012 at 12:30pm.

The County Clerk is discharging you from your employment as a Senior Election Clerk with the Office of the County Clerk, effective January 6, 2012 close of business for the following reason:

1. Violations of the County of Hawai'i Alcohol-Free Workplace Policy at the Elections Warehouse at 210 Maka'ala Street, Hilo, Hawai'i 96720.

These serious actions are unacceptable violations of County of Hawai'i policy.

You are hereby instructed not to report to work from now until your dismissal on January 6, 2012 close of business.

You have the right to appeal this action by filing a grievance in accordance with the provisions of your union bargaining unit agreement.

*Serving the Interests of the People of Our Island
Hawai'i County is an Equal Opportunity Provider and Employer*

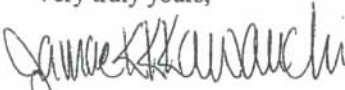
*mailed
1/9/12*

EXHIBIT "6."

Letter to S. Ayau
Dated 01/05/2012
Page 2 of 2

Please contact me to schedule an appointment with you for the return of your personal items from the Elections Office, said appointments to take place no later than ten days from the date of this letter.

Very truly yours,



JAMAE K. K. KAWAUCHI
Hawai'i County Clerk

xc: Dominic Yagong, Chairperson, County Council
Ron Takahashi, Director of Human Resources
Michelle Simmons, Human Resources Specialist
Pat Nakamoto, Elections Program Administrator
Lincoln Ashida, Corporation Counsel
HGEA