



State of New Hampshire

PUBLIC EMPLOYEE LABOR RELATIONS BOARD

AFSCME LOCAL 1348/CLAREMONT
SUPPORT STAFF EMPLOYEES

Petitioner

v.

CITY OF CLAREMONT

Respondent

CASE NO. A-0582:2

DECISION NO. 1999-045

PRE-HEARING CONFERENCE
MEMORANDUM AND ORDER

On April 30, 1999, AFSCME Local 1348 filed a petition to modify the fifteen position bargaining unit of support personnel with the addition of eleven positions. On April 27, 1999, the City responded with its objection to the use of the modification process to settle this matter. Rule PUB 302.05 (b) (1).

The undersigned hearing officer convened a pre-hearing conference on May 18, 1999, at which time, AFSCME's representative, James Anderson stated that he wished to withdraw the petition for modification. He indicated that he had erred in petitioning for two of the eleven positions. The Planning and Development and the Marketing and Development Secretaries are presently included in the unit under the aegis of secretary. The employees who hold those positions did not vote in the election because they were probationary employees and so not eligible to vote. RSA 273-A:1 IX (d).

DECISION AND ORDER

The pre-hearing examination of the matter in dispute reveals that a hearing is not in order since the petitioner has requested withdrawal of its petition for modification. Therefore, the PELRB shall not schedule a hearing and AFSCME's petition for modification is hereby dismissed.

So ordered.

Signed this 24th day of May, 1999.

GAIL C. MORRISON
Hearing Officer