



**State of New Hampshire**

**PUBLIC EMPLOYEE LABOR RELATIONS BOARD**

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MERRIMACK COUNTY	:	
	:	
	:	
Complainant	:	
	:	
v.	:	
	:	CASE NO. S-0327:25
STATE EMPLOYEES ASSOCIATION OF	:	
NEW HAMPSHIRE, LOCAL 1984,	:	DECISION NO. 1999-113
SEIU for MERRIMACK COUNTY	:	
CORRECTIONAL OFFICERS	:	
	:	
Respondent	:	

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ORDER TO CONTINUE

Whereas Merrimack County filed unfair labor practice (ULP) charges against the State Employees Association of New Hampshire, Local 1984, SEIU, certified bargaining agent for the County's Correctional Officers, on August 30, 1999 alleging a violation of RSA 273-A:5 II (f) in the form of a breach of contract for attempting to arbitrate a non-grievable, non-disciplinary event, namely a counseling memo;

Whereas the State Employees Association of New Hampshire filed its response to that ULP on September 14, 1999, seeking dismissal of the pending charges and an order to arbitrate;

Whereas the parties, each duly represented by its own representative at a pre-hearing conference held before the undersigned hearing officer on October 20, 1999, agreed (a) that the issue of whether counseling memos are disciplinary in nature and subject to the grievance procedure is and has been an issue of on-going negotiations between them, (b) that those on-going negotiations will progress to the fact finding stage, with a fact finding hearing set for Friday, October 29, 1999, and (c) that

this issue has been identified and will be presented to the fact finder in those proceedings; and

Whereas the parties agreed that they wanted additional times to attempt to negotiate the subject matter of counseling memos referenced in the pending ULP, including time that might be devoted to this effort after the receipt of the fact finder's report;

IT IS ORDERED that this case stand continued on the PELRB's docket of cases until January 20, 2000, thereafter to be administratively dismissed from the Board's docket of cases unless either party shall have requested an additional hearing in this matter prior to January 20, 2000.

Signed this 21st day of October, 1999.



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PARKER DENACO  
Hearing Officer