



State of New Hampshire

PUBLIC EMPLOYEE LABOR RELATIONS BOARD

MANCHESTER ASSOCIATION OF POLICE	:	
SUPERVISORS	:	
	:	
Complainant	:	
	:	
v.	:	CASE NO. P-0716:9
	:	
CITY OF MANCHESTER,	:	DECISION NO. 2000-028
POLICE DEPARTMENT	:	
	:	
Respondent	:	

MOTIONS FOR REHEARING, RECONSIDERATION AND TO DISMISS

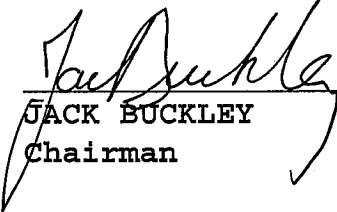
The Board, meeting at its offices in Concord, New Hampshire, on April 6, 2000, took the following actions:

1. It reviewed the Union's Motion for Rehearing and Stay filed March 6, 2000, the City's Motion for Rehearing filed March 10, 2000, the Union's objections thereto filed March 14, 2000 and the City's objections to the Union's motion filed March 21, 2000, said documents referring to proceedings in both case No. P-0716:9 involving the Union's unfair labor practice and Case No. P-0716:10 involving the City's modification petition.
2. It examined the Union's unfair labor practice (ULP) complaint filed October 25, 1999 and the City's answer and motion to dismiss filed November 12, 1999.
3. It reviewed its disposition of the pending modification petition in Decision No. 2000-027 whereby the Board sustained the City's petition which sought removal of the business service officer position from the bargaining unit, concluding therefrom that

there was no ULP committed by the City when it exercised its right to file that modification petition, as asserted in paragraph 10, 11 and 12 of its answer and motion to dismiss, since the triggering event was induced by and within the control of the Union when the business services officer undertook the presidency of the local and duties as its negotiator.

4. It GRANTED the City's motion to dismiss the Union's unfair labor practice complaint. All other requests for relief, rehearing or reconsideration are as stated in Decision No. 2000-27.

Signed this 6th day of April, 2000.



JACK BUCKLEY
Chairman

By unanimous decision. Chairman Jack Buckley presiding. Members Seymour Osman and E. Vincent Hall present and voting.