

State of New Hampshire

PUBLIC EMPLOYEE LABOR RELATIONS BOARD

CITY OF PORTSMOUTH

Complainant

v.

AFSCME COUNCIL #93, LOCAL No. 1386
PORTSMOUTH CITY EMPLOYEES

Respondent

CASE NO. A-0411:34

DECISION NO. 2000-087

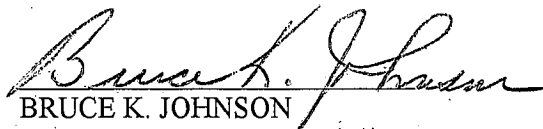
MOTION FOR REVIEW OF HEARING OFFICER'S DECISION

The Board, meeting at its offices in Concord, New Hampshire, on August 22, 2000, took the following actions:

1. It reviewed the City's Motion for Review of Hearing Officer's Decision filed August 2, 2000 and the Union's objection thereto filed August 11, 2000.
2. It examined the Modification Petition filed by the City on April 13, 2000 and the Union's answer filed on May 4, 2000.
3. It reviewed the hearing officer's decision (Decision No. 2000-058) in this matter dated July 5, 2000.
4. Upon review of the hearing officer's decision and the documentary evidence in the file, it found that the City had not met its burden of establishing, by a preponderance of the evidence, that the requisite change in circumstance (PUB 302.05) had occurred whereupon it affirmed the decision of the hearing officer and DENIED the City's Motion for Review.

So ordered.

Signed this 30th day of August, 2000.


BRUCE K. JOHNSON
Alternate Chairman

By unanimous vote. Alternate Chairman Bruce K. Johnson presiding. Members Seymour Osman and E. Vincent present and voting.