



STATE OF NEW HAMPSHIRE
PUBLIC EMPLOYEE LABOR RELATIONS BOARD

Raymond Porelle, Jr.

v.

NEPBA, Inc.

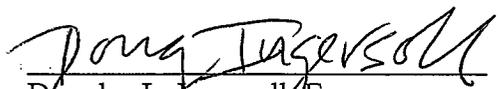
Case No. G-0142-1
Decision No. 2010-155

Order on Pending Motions

The NEPBA, Inc.'s Motion to Add the City of Rochester as a party is denied. In order to commence proceedings against the City the NEPBA, Inc. must commence an action in accordance with the provisions of RSA 273-A and Pub 100-300 such as, for example, an unfair labor practice complaint. The NEPBA, Inc.'s Amended Motion for a Declaratory Ruling is denied without prejudice. In this motion the NEBPA, Inc. requests that references to declaratory ruling contained in its answer to the complaint be treated as a Petition for Declaratory Ruling within the meaning of Pub 206.01. However, Pub 206.01 does not authorize or contemplate the commencement of Declaratory Ruling proceedings in this manner. Further, the NEBPA, Inc.'s motion for declaratory ruling is also misplaced because it seeks adjudication of the potential rights and obligations of a non-party to these proceedings (City of Rochester).

So ordered.

September 2, 2010


Douglas L. Ingersoll, Esq.
Presiding Officer/Executive Director

Distribution:

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