



STATE OF NEW HAMPSHIRE
PUBLIC EMPLOYEE LABOR RELATIONS BOARD

City of Nashua Board of Police Commissioners

and

Nashua Police Department Civilians, Teamsters Local 633

Case No. G-0168-1
Decision No. 2011-116

PRE-HEARING MEMORANDUM AND ORDER

Date of Conference: April 20, 2011

Appearances: Stephen M. Bennett, Esq. for the City of Nashua Board of Police Commissioners

Thomas D. Noonan, Business Agent, for the Nashua Police Department Civilians, Teamsters Local 633

Background:

The City filed a petition for modification on March 29, 2011 seeking to add the position of part-time File Clerk to and to remove the position of Assistant Fleet Maintenance Supervisor from the bargaining unit consisting of certain civilian employees of the Nashua Police Department (civilians unit) represented by the Teamsters Local 633. The City contends that, among other things, due to the supervisory role of the Assistant Fleet Maintenance Supervisor, this position would be more appropriately placed in a bargaining unit represented by the United Auto Workers Professional Employees of the Nashua Police Department, Local 2232 (UAW) because it includes civilian employees with supervisory duties.¹

¹ The City simultaneously filed a petition to add the position of Assistant Fleet Maintenance Supervisor to the bargaining unit consisting of certain professional employees of the Nashua Police Department (professional employees unit) represented by the UAW. See *City of Nashua Board of Police Commissioners and United Auto Workers Professional Employees of the Nashua Police Department, Local 2232*, Case No. G-0169-1.

The Teamsters Local 633 objects to the removal of the Assistant Fleet Maintenance Supervisor position from the bargaining unit it represents claiming that the duties and responsibilities of the Assistant Fleet Maintenance Supervisor have not changed since the position was placed in the civilians bargaining unit and that, if placed in professional employees unit represented by the UAW, the Assistant Fleet Maintenance Supervisor will be in the same unit with his supervisor.

DECISION

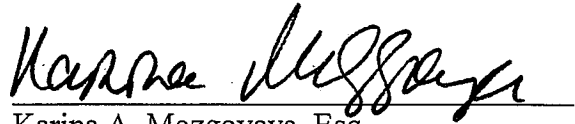
1. "Parties" means the Teamsters Union, the City, or their counsel/representative appearing in the case. The parties shall simultaneously copy each other electronically on all filings submitted in these proceedings.
2. At the pre-hearing conference, the Teamsters Local 633 clarified that it does not object to the inclusion of the position of part-time File Clerk in the civilians unit it represents. The parties requested the hearing to be scheduled for June 22, 2011 to allow time for discussions that might resolve or simplify this case. The adjudicatory hearing is scheduled for **June 22, 2011 at 9:00 am**. The parties shall notify the PELRB of any resolution of this matter in the interim.
3. The parties shall exchange and file their final witness and exhibit lists no later than 10 days prior to the date of hearing.
4. The parties shall prepare and file a final statement of stipulated facts no later than 10 days prior to the date of hearing.
5. The parties shall pre-mark exhibits by placing identifying markers in the upper right corner of each exhibit, if possible. To facilitate access to a particular exhibit, the parties shall use tabs to separate exhibits.

HEARING

Unless otherwise ordered as a result of the filing of any subsequent motion or for other good cause shown, the adjudicatory hearing between the parties will be held on **June 22, 2011 at 9 a.m.** at the offices of the Public Employee Labor Relations Board in Concord. The time set aside for this hearing is 3 hours.

So ordered.

April 20, 2011



Karina A. Mozgovaya, Esq.
Staff Counsel/Hearing Officer

Distribution:
Stephen M. Bennett, Esq.
Thomas D. Noonan, Business Agent