



STATE OF NEW HAMPSHIRE
PUBLIC EMPLOYEE LABOR RELATIONS BOARD

Seacoast Educational Support Personnel Association, NEA-NH

and

Hampton School District

Case No. E-0064-5

Decision No. 2011-141

PRE-HEARING MEMORANDUM AND ORDER

Date of Conference: May 16, 2011

Appearances: Steven R. Sacks, Esq. for the Seacoast Educational Support Personnel Association, NEA-NH

Matthew Upton, Esq. for the Hampton School District

Background:

On April 19, 2011, the SESPA filed a petition seeking to update the existing certification to reflect an administrative transfer of the Hampton School District from the SAU 21 comprised of several districts to a newly-created single-district SAU 90 which will become effective July 1, 2011. The District filed an answer asserting that there is no community of interest between the Hampton School District employees and other employees of the SAU 21 represented by the SESPA because the Hampton School District is no longer a part of the SAU 21 and the Hampton District employees are not functioning within the same organizational unit as employees of the SAU 21.

DECISION

1. "Parties" means the SESPA, the District, 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 parties indicated that they are presently discussing resolution of this matter and jointly requested the PELRB to postpone the adjudicatory hearing for 30 days to allow parties time to resolve this matter. The parties' request is granted. The adjudicatory hearing scheduled for June 6, 2011 is hereby cancelled. There shall be no further activity in this matter unless one of the parties submits a filing seeking a hearing or other appropriate relief on or before **June 17, 2011** at which time the request and any responsive filings will be reviewed and a further order will be issued. In the absence of such filing this matter shall be dismissed after **June 17, 2011**. The parties shall promptly inform the PELRB of any resolution of this matter in the interim.
3. If and when a request for a hearing is filed, the PELRB will determine whether this case will be consolidated with Case No. E-0090-2.

HEARING

The adjudicatory hearing scheduled for June 6, 2011 is cancelled. This case shall be dismissed after **June 17, 2011** unless a party submits a filing seeking a hearing or other appropriate relief on or before that date at which time the request and any responsive filing will be reviewed and a further order will be issued.

So ordered.

May 18, 2011


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

Distribution:
Steven R. Sacks, Esq.
Matthew Upton, Esq.