



STATE OF NEW HAMPSHIRE
PUBLIC EMPLOYEE LABOR RELATIONS BOARD

AFSCME, Council 93, Local 1801, Nashua Housing Authority Employees

v.

Nashua Housing Authority

Case No. G-0050-5
Decision No. 2011-156

On May 25, 2011 the Union filed a motion to compel production of documents it claims are necessary in the preparation and presentation of its case. The Authority has objected contending, among other things, that the documents are not relevant.¹ Neither the provisions of RSA 273-A nor applicable PELRB administrative rules provide for the conduct of formal pre-hearing discovery such as requests for production of documents, interrogatories, depositions, and related motions to compel such discovery. In contrast, see applicable Superior Court rules governing the pre-trial discovery process. Accordingly, the Union's motion is denied on that basis without prejudice to its right to request the issuance of a subpoena duces tecum in accordance with applicable PELRB rules.

So ordered.

May 26, 2011


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

Distribution:

Karen E. Clemens, Esq.

J. Daniel Marr, Esq.

¹The pre-hearing order does not reflect that the possible Union use or need for such documents was raised or discussed at the pre-hearing conference. The pre-hearing conference is an opportunity for the parties to come to agreement on the exchange of exhibits and documents with the guidance of the presiding officer.