



STATE OF NEW HAMPSHIRE
PUBLIC EMPLOYEE LABOR RELATIONS BOARD

State Employees' Association of NH, SEIU Local 1984

v.

State of New Hampshire, Department of Health & Human Services

Case No. G-0148-3
Decision No. 2015-042

Order


On March 20, 2015 the State filed a motion to continue the adjudicatory hearing currently scheduled for March 26, 2015 because of the medical situation of one of the State's witnesses. The SEA has assented to the request. The undersigned held a conference call with counsel on March 24, 2015 to review the motion to dismiss and the upcoming hearing.

The SEA filed the complaint in this case on August 20, 2014. This is the fifth request to continue the adjudicatory hearing that has been filed in this case. By law statutory unfair labor practice complaints are supposed to proceed to hearing within 45 days of filing. This case is now well beyond this statutory deadline. Further, at this point it is not clear if the State's witness will in fact ever be available to testify (based upon information provided during the conference call the witness has been receiving treatment in Virginia, and the timetable for the witnesses' return to this state is unknown).

The motion to continue is denied. The parties shall appear for hearing on March 26, 2015 as scheduled prepared to address the State's pending motion to dismiss and to present evidence to support their claims and defenses. During the conference call the parties also discussed the possibility of submitting this case for decision on stipulations and briefs. They should submit any such agreement and request no later than noon on March 25, 2015.

So ordered.

Date: 3-24-2015



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

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