



**STATE OF NEW HAMPSHIRE**  
Public Employee Labor Relations Board

**Teamsters Local 633**

v.

**Cheshire County Sheriff's Office**

**Case No. G-0226-2**  
**Decision No. 2016-156**

Pre-Hearing Memorandum and Order

Date of Conference: June 30, 2016

Appearances: William R. Cahill, Jr., Esq., for the Complainant  
Matthew H. Upton, Esq., for the Respondent

Background:

On May 11, 2016, the Teamsters Local 633 (Union) filed an unfair labor practice complaint alleging that the Cheshire County Sheriff's Office (County) violated RSA 273-A:5, I (a), (b), (c), and (d) when the Sheriff initiated internal affairs investigations of the Union negotiating team members in retaliation for their involvement in Union activity. The Union requests that the PELRB order the County to cease and desist from using unwarranted investigations as a tool to chill the bargaining unit employees' involvement with the Union.

The County denies the charges and asserts, among other things, that the Sheriff's inquiry was not an internal affairs investigation and that no employees were disciplined as a result of the inquiry. The County also claims that the Union's complaint failed to satisfy the requirements of Pub 201.02. The County requests that the PELRB dismiss the complaint or find that the County

has not committed an unfair labor practice.

Issues for Determination by the Board

Whether the County violated RSA 273-A:5, I (a), (b), (c), and/or (d) as charged by the Union.

Witnesses and Exhibits

As outlined in the parties' Joint Pre-Hearing Worksheet. Both parties reserve the right to amend their lists of witnesses and exhibits in conformity with Pub 203.01. It is understood that each party may rely on the representations of the other party that witnesses and exhibits appearing on their respective lists will be available at the hearing.

Decision

1. "Parties" means the Union, the County 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 jointly requested that the proceedings in this case be continued to allow the parties additional time to resolve the dispute. The parties' request is granted. There shall be no further proceedings in this case until August 1, 2016, at which time this case shall be dismissed unless one of the parties files a request for a hearing or other appropriate relief on or before August 1, 2016. The parties shall promptly inform the PELRB of any resolution of this case in the interim.

So ordered.

Date: 7/1/2016

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

Distribution: William R. Cahill, Jr., Esq.  
Matthew H. Upton, Esq.