State of New Hampshire

PUBLIC EMPLOYEE LABOR RELATIONS BOARD

MERRIMACK COUNTY COMMISSIONERS Petitioner and STATE EMPLOYEES' ASSOCIATION Respondent	CASE NO. S-0327:5 DECISION NO. 91-04

ARBITRATION CASE - GORDON J. SUMMER

In December 1990, John C. Vanacore, Esq., counsel for Gordon J. Summer contacted the PELRB indicating a decision had not been rendered regarding his request to PELRB to overturn an arbitrator's decision which had been made by arbitrator, Allan S. McCausland with respect to the termination of Gordon J. Summers' employment with Merrimack County Department of Corrections.

Formal hearing in this matter was never held but the case was thoroughly discussed at a pre-hearing conference held on November 21, 1989. It was pointed out to the parties present at the pre-hearing conference that in general PELRB's policy was not to second guess an arbitrator unless such decision could be considered illegal or not in accordance with the parties contractual provisions of a mutually negotiated agreement.

In this case on behalf of the Board, the hearing officer rules that the Arbitrator considered all the issues and acted in accord with Article 17.3 C. 5. (c) of the contract and will not overturn the arbitrator's decison.

Signed this 25th day of January, 1990.

EDWARD J. HASELTINE
Chairman