



State of New Hampshire

PUBLIC EMPLOYEE LABOR RELATIONS BOARD

STATE EMPLOYEES' ASSOCIATION OF NEW
NEW HAMPSHIRE, INC. LOCAL 1984,
S.E.I.U., AFL-CIO, CLC and BENJAMIN
MOZRALL

Complainant

v.

THE NEW HAMPSHIRE DEPARTMENT OF
SAFETY, (RICHARD M. FLYNN,
COMMISSIONER)

Respondent

CASE NO. S-0314:2

DECISION NO. 90-83

MOTION FOR RECONSIDERATION AND REHEARING

The Board has received a Motion for Reconsideration and Rehearing in the above captioned case. Having reviewed the decision again and said motion, the Board denies the motion which fails to present or allege new evidence on the merits.

On the matter of alleged bias by Chairman Haseltine and the request to "recluse" (sic) himself, the Board finds no credible assertion in the motion to take action thereon. The assertion that he is "associated" with Commissioner Flynn, which the Board takes to mean that he knows him, without more, provides no basis for recusal. Further, at hearing, the Chairman asked if either party believed him to be biased in the case at hand and was assured by both that he was not so considered. Since no evidence or assertion of actual conflict is alleged, the Board will not rehear the matter as it is convinced none exists.

ORDER

Motion for Reconsideration and Rehearing is DENIED.

So ordered.

Signed this 13th day of September, 1990.

SEYMOUR OSMAN
Board Member

DANIEL TOOMEY
Board Member

Chairman Haseltine took no part in the consideration or vote on this matter.