



State of New Hampshire

PUBLIC EMPLOYEE LABOR RELATIONS BOARD

PORTSMOUTH POLICE OFFICERS
I.B.P.O., LOCAL 402

Complainant

v.

CITY OF PORTSMOUTH, POLICE
COMMISSION

Respondent

CASE NO. P-0709:16
(Formerly Case No. P-0752:4)

DECISION NO. 97-003

ORDER DISMISSING COMPLAINT

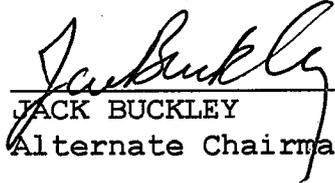
The Board, meeting at its offices in Concord, New Hampshire, on January 8, 1997, took the following actions:

1. It convened to hear the positions of the parties in the unfair labor practice (ULP) complaint filed by the Union on October 22, 1996 and answered by the City on November 5, 1996, noting that this complaint consisted on two counts, namely, Count I relating to the alleged denial of union representation under the *Weingarten* rule, and Count II relating to alleged retaliation and discrimination against an officer for having filed a safety complaint or grievance.
2. At the opening of the hearing in this matter, the Union advised the Board that it was willing to move to dismiss Count II given an apology that no harassment or discrimination was intended by the acts complained of in Count II. The City agreed with this disposition of the case, whereupon the parties agreed upon the wording of the said apology and provided it for the Board's information and the record.

3. Noting that the conditions precedent to the withdrawing of the ULP complaint had been met, the PELRB GRANTED the Union's motion to dismiss Count II thereof.

So ordered.

Signed this 23rd day of January, 1997.



JACK BUCKLEY
Alternate Chairman

By unanimous vote. Alternate Chairman Jack Buckley presiding.
Members E. Vincent Hall and William F. Kidder present and voting.