



State of New Hampshire

PUBLIC EMPLOYEE LABOR RELATIONS BOARD

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NASHUA FIREFIGHTERS, LOCAL 789	:
IAFF, AFL-CIO, CLC	:
	:
Complainant	:
	:
v.	:
	:
CITY OF NASHUA	:
	:
Respondent	:
	:
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CASE NO. F-0105:28
DECISION NO. 2000-044

MOTION FOR EX PARTE CEASE AND DESIST ORDER

The Board, meeting at its offices in Concord, New Hampshire, on May 25, 2000, took the following actions:

1. It reviewed the "Motion for Injunctive Relief" which, accompanied the Union's unfair labor practice complaint (ULP) filed May 23, 2000.
2. It noted that certain complained of conduct in the form of a mandatory referral to an EAP was scheduled to occur on or about June 2, 2000, some five (5) days before respondent's answer is due to be filed on June 7, 2000.
3. It further found no reference in the pleadings to explain the urgency of the EAP referral, namely, why it must be accomplished before the respondent is required to respond to the pending ULP.
4. It directed that the respondent CEASE and DESIST from directing or proceeding with said EAP referral until such time as it has filed its answer to the Union's pleadings and the parties have had an opportunity to be heard on the procedural motion seeking injunctive relief.

So ordered.

Signed this 25th day of May, 2000.



 BRUCE K. JOHNSON
 Alternate Chairman

By unanimous vote. Alternate Chairman Bruce K. Johnson presiding. Members Richard W. Roulx and E. Vincent Hall present and voting.