



State of New Hampshire

PUBLIC EMPLOYEE LABOR RELATIONS BOARD

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AFSCME, LOCAL 3657 for the		*
Hillsborough County Corrections Employees		*
	Complainant	*
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Hillsborough County,		*
Department of Corrections		*
	Respondent	*
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CASE NO. A-0428-208

DECISION NO. 2002-021

ORDER TO PROCEED TO ARBITRATION

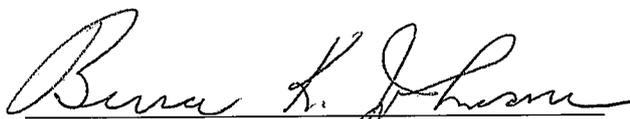
The Board, meeting at its offices in Concord, New Hampshire, on February 12, 2002, took the following actions:

1. It reviewed the Union's unfair labor practice (ULP) complaint and attachments filed September 28, 2001, the County's answer and attachments filed October 15, 2001 and the final and binding grievance arbitration provisions found at Article 15.2 of the parties' collective bargaining agreement (CBA).
2. It convened for the purpose of hearing the parties' respective positions on an issue raised by the County in its answer regarding information that the acts of the County alleged by the Union to form the cause of action in this instant ULP were also the subject of arbitration pursuant to the grievance procedure agreed upon by the parties and included in their CBA.
3. At the request of the PELRB, each party argued its respective position regarding whether or not the hearing on the merits should go forward in light of the parties' pending arbitration hearing.
4. At the conclusion of those arguments, the PELRB then decided that it is holding this case in abeyance and ordering the parties to proceed with their contractual requirement for final and binding arbitration. The Union, as complainant in this pending ULP, shall notify the PELRB of the results of said arbitration and forward a copy of the arbitrator's decision to the PELRB.

5. Further, unless either party files a request, within thirty (30) days of the arbitrator's decision, with the PELRB for further review, this case shall be administratively dismissed. If such an additional hearing is requested, it shall be processed and set for hearing on a priority basis.

So ordered.

Signed this 19th day of February, 2002.



Bruce K. Johnson
Alternate Chairman

By unanimous decision. Alternate Chairman Bruce K. Johnson presiding. Members Seymour Osman and Richard Molan present and voting.