



State of New Hampshire

PUBLIC EMPLOYEE LABOR RELATIONS BOARD

International Chemical Workers Union Council
UFCW, Local 1046C

Complainant

v.

Merrimack County Nursing Home

Respondent

Case No. M-0738-5

Decision No. 2002-125

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MOTION TO CONTINUE

This matter having been set for hearing before the PELRB on October 22, 2002 in the Pre-Hearing Decision and Order dated September 18, 2002 and denominated Decision No. 2002-108, this Board is cognizant that two similar unfair practice complaint (ULP) cases have since been filed, Case No. M-0738-6 by the County and Case No. M-0738-7 by the Union, neither of which has proceeded to a pre-hearing conference as of this date. Pre-hearing conferences will not be conducted until after the last answer due in these new pleadings, said answer due to be filed on or before November 5, 2002.

On October 21, 2002, the Union filed additional procedural motions and the County filed a communication relating to the parties' respective requests that the hearing set for October 22, 2002 in Case No. M-0738-5 be continued. (We note, also, that the Union, on the same date, filed a Motion for Review [Rehearing] of PELRB Decision No. 2002-121 which granted the County's Motion to Dismiss in case number M-0738-4. That matter is not part of our review here and will be treated as a separate Motion for Rehearing.) In this communication, the County sought additional pre-hearing proceedings designed to organize and consolidate "all pending matters before the Board."

In accordance with the foregoing, we hereby AFFIRM the continuance granted to the parties relating to the October 22, 2002 hearing in Case No. M-0738-5 and DIRECT that it be remanded to the presiding officer who will conduct concurrent pre-hearing conference

proceedings in Cases No. M-0738-6 and M-0738-7 with the Objective of identifying issues, witnesses and hearing details such that Cases M-0738-5, -6 and -7 may be consolidated for hearing purposes, at a time and date to be determined as part of the pre-hearing process.

So ordered.

Signed this 25th day of October, 2002.


BRUCE K. JOHNSON
Alternate Chairman

By unanimous vote. Alternate Chairman Bruce K. Johnson presiding. Members E. Vincent Hall and Carol Granfield present and voting.