



State of New Hampshire
PUBLIC EMPLOYEE LABOR RELATIONS BOARD

Laconia Professional Firefighters,
IAFF Local 1153

Complainant

v.

City of Laconia

Respondent

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Case No: F-0103-25

Decision No. 2005-139

ORDER

WHEREAS a pre-hearing conference in this matter was convened at PELRB offices on October 19, 2005 before the undersigned hearing officer, and, during the course of the pre-hearing conference, the parties engaged in discussions relating to deferment of the instant unfair labor practice proceedings pending the parties' good faith participation in grievance arbitration and the issuance of an arbitrator's award; and

WHEREAS written notification dated November 1, 2005 has been received from counsel for the City stating that (1) the City and the Union agree that the issue of disciplinary action against Lt. Shipp shall be submitted to arbitration in accordance with the parties Collective Bargaining agreement; (2) the parties respectfully request that the PELRB defer any further proceedings in this matter until a period thirty days following receipt of the arbitrator's award; and (3) if within thirty days of the arbitrator's award, neither party requests further proceedings before the PELRB, then the instant unfair labor practice charge should be dismissed; to which Union counsel has indicated his assent; it is hereby:

ORDERED that the parties' request that the instant matter be held in abeyance is granted, the November 10, 2005 adjudicative hearing is cancelled; and this matter shall stand continued on the PELRB's docket of cases until further notice. The Union, as the moving party in these matters, is directed to file a status report with the PELRB every ninety (90) days following the issuance of this order and provide a copy of same to the City's counsel. The Union shall also file a copy of the arbitrator's award with the PELRB within five (5) days of its' receipt of same. Unless either party files a request for a hearing with the PELRB within thirty (30) days of the date of the arbitrator's decision, this matter shall be administratively dismissed. The parties are

further directed to notify the PELRB immediately in the event they are otherwise able to reach a settlement and do not proceed to arbitration.

So ordered.

Signed this 3rd day of November, 2005.



Peter C. Phillips, Esq.
Hearing Officer

Distribution:
John S. Krupski, Esq.
Mark T. Broth, Esq.