



State of New Hampshire
PUBLIC EMPLOYEE LABOR RELATIONS BOARD

Classified Employee Petitioners of the
New Hampshire Office of Information Technology

Petitioner

v.

SEA/SEIU Local 1984, AFL-CIO, CLC

Respondent

Case No. S-0411-3

Decision No. 2006-170

PRE-HEARING MEMORANDUM AND ORDER

BACKGROUND

The Classified Employee Petitioners of the New Hampshire Office of Information Technology ("Petitioners") filed a petition for decertification on September 15, 2006. On September 28, 2006 the petitioners filed an amendment and supplement to the Petition for Decertification.

The SEA/SEIU Local 1984 ("SEA") filed an Objection and Exception in response on September 30, 2006. The SEA claims 1) that the petitioners lack standing; 2) that the petitioners fail to present the requisite 30% showing of interest; 3) that the SEA requests an informal pre-hearing conference to be conducted prior to an adjudicatory hearing to address the SEA's exceptions and objections to the petition; and 4) that a full Board of the PELRB must deem the statutory prerequisites satisfied before any pre-election hearing may be held.

The undersigned hearing officer conducted an informal pre-hearing conference on October 2, 2006 at the PELRB offices in Concord, New Hampshire.

PARTICIPATING REPRESENTATIVES AT PRE-HEARING CONFERENCE

For the Petitioner: Dane Prescott

For the SEA: John Krupski, Esq.

ISSUES PRESENTED

Whether the decertification petition should proceed to election.

DECISION

- 1) The State of New Hampshire – Office of Information Technology shall provide a list of OIT employees and their positions to the petitioner, the SEA, and the PELRB forthwith.
- 2) To the extent they have not already done so, and it has not been covered through the pre-hearing, the parties shall submit and exchange a list of all witnesses and the purpose of their testimony and a list of exhibits per Pub 203.
- 3) To the extent they have not already done so, the parties' representatives shall meet, or otherwise confer, on or before October 12, 2006 in order to compose a mutual statement of agreed facts and stipulate to joint exhibits. The parties' representatives shall memorialize those facts and exhibits upon which they can so stipulate and file that document with the PELRB on or before 9:00 a.m. on October 13, 2006.
- 4) Unless otherwise ordered as a result of the filing of any subsequent motion or for other good cause shown, an evidentiary hearing between the parties will be held on:

October 13, 2006 @ 9:00 AM

at the offices of the Public Employee Labor Relations Board, Concord, New Hampshire.

So Ordered.


Douglas L. Ingersoll, Esq.
Hearing Officer

Date Issued: October 9, 2006

Distribution:

Dane Prescott
John Krupski, Esq.
Richard C. Bailey, Jr.