



State of New Hampshire
PUBLIC EMPLOYEE LABOR RELATIONS BOARD

NEPBA, Inc. Local 40
(NH Fish & Game Conservation Officers)

and

SEA/SEIU Local 1984

NEPBA, Inc. Local 45
(NH Fish & Game Supervisory Officers)

and

SEA/SEIU Local 1984

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Case No: S-0431

Decision No. 2006-189

Case No: S-0432

**ORDER ON REQUEST OF RESPONDENT TO REVIEW
HEARING OFFICER DECISION**

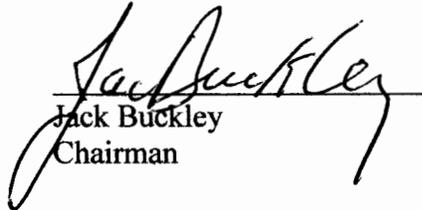
The Public Employee Labor Relations Board ("PELRB") has considered the State Employees' Association of New Hampshire, SEIU Local 1984, (hereinafter the "SEA") "Appeal of Decision of Hearing Officer Denying Motion to Continue" and took the following action:

1. The Board reviewed the pleading entitled "Appeal to Full Board" filed by the SEA.
2. It reviewed the previous filings in this matter, including PELRB Decision No. 2006-174.
3. It reviewed, in full and in context, Admin R. Pub 203.04 a portion of which was included by Respondent's counsel in the filing.

4. It concludes that the decision to seek the submission of legal memoranda or accept requests by parties to submit the same is discretionary with the Hearing Officer as it is with the Board presiding during a hearing; we do not believe it is a matter of right and the Respondent cites no authority to us that would have us conclude otherwise.
5. The Board believes that sufficient relevant facts were found to support the Hearing Officer's decision and further is informed that the parties were given the opportunity for oral argument at the conclusion of the evidence.
6. Therefore we deny the request of the Respondent.

So Ordered.

Signed this 23rd day of October, 2006


Jack Buckley
Chairman

By unanimous vote. Chairman Jack Buckley presiding with Board Members Carol M. Granfield and E. Vincent Hall also voting.

Distribution:

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