



STATE OF NEW HAMPSHIRE
PUBLIC EMPLOYEE LABOR RELATIONS BOARD

State Employees Association of New Hampshire,
Local 1984

Complainant

v.

State of New Hampshire

Respondent

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Case No. S-0428-5

Decision No. 2008-156

PRE-HEARING MEMORANDUM AND ORDER

BACKGROUND

The State Employees Association of New Hampshire, Local 1984 (the "SEA") filed an unfair labor practice complaint on June 24, 2008. After filing, the SEA voluntarily dismissed certain claims, with the sole remaining claim relating to the manner in which the State bargained the Insurance Department sub-unit agreement. The SEA claims that State negotiators for the Insurance Department were unwilling to meet and discuss matters, relating in a delay from September of 2007 to January, 2008 before final agreement was reached. The SEA contends that as a result, the State violated RSA 273-A:5, I (e) (h) and (i), and the Insurance Department sub-unit agreement should be effective as of September 29, 2007.

The SEA requests that the PELRB: 1) find that the state has committed an unfair labor practice under RSA 273-A: 5, I (e),(h) and (i); 2) find that the Insurance sub-unit agreement is effective 9/29/2007; 3) order that the State make whole any losses suffered as a result of the unfair labor practices; and/or 4) make such other orders as is just.

On July 2, 2008 the State filed its answer denying the SEA's charge of an unfair labor practice. The State claims that duly authorized representatives were present for negotiations and that the SEA's claim is time barred pursuant to RSA 273-A:6, VII.

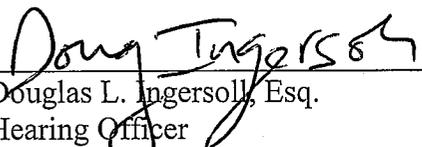
A motion to continue a pre-hearing conference scheduled for July 24, 2008 was granted and the undersigned Hearing Officer conducted a pre-hearing conference on August 14, 2008, at the offices of the Public Employee Labor Relations Board in Concord.

DECISION

Based upon the representations of counsel at the pre-hearing conference, the hearing currently scheduled for August 26, 2008 is cancelled. There will be no further scheduling activity in this matter for 90 days. This case shall be dismissed after 90 days unless one of the parties files a request for a hearing on or before November 12, 2008.

So ordered.

August 14, 2008.



Douglas L. Ingersoll, Esq.
Hearing Officer

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