



State of New Hampshire
PUBLIC EMPLOYEE LABOR RELATIONS BOARD

University System of New Hampshire and University of New Hampshire

v.

University of New Hampshire Chapter of American Association of University Professors

Case No. E-0082-4
Decision No. 2010-072

PRE-HEARING MEMORANDUM AND ORDER

Date of Conference: April 14, 2010

Appearances: Andrea K. Johnston, Esq. for the Complainant
John S. Krupski, Esq. for the Respondent

Background:

The parties' stipulated facts reflect that the parties' collective bargaining agreement expired on June 30, 2009 and the parties have engaged in negotiations and are currently proceeding with the statutory fact-finding process. This complaint relates to the participation of the University of New Hampshire Chapter of American Association of University Professors (AAUP) in the University System of New Hampshire and University of New Hampshire's (USNH) 2010 summer school program and recent conduct of the AAUP with respect to the 2010 summer school program. The USNH claims the AAUP has violated RSA 273-A:5, II (e) and RSA 273-A:13 by engaging in a strike or other form of job action and also violated RSA 273-A:5, II (f) by breaching a collective bargaining agreement. The AAUP denies the charges. The

USNH also filed a request with the PELRB for an immediate cease and desist order which has since been withdrawn without prejudice. The parties also reached a stipulated resolution of equity proceedings in the Strafford County Superior Court which relate to matters similar to the subject of these PELRB proceedings.

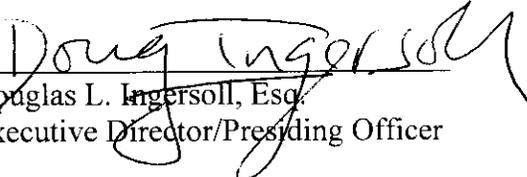
At the pre-hearing the parties agreed to submit this case for decision based upon stipulated facts (already on file), affidavits, and briefs according to the following schedule:

- April 30, 2010: Opening Affidavits.
- May 10, 2010: Rebuttal Affidavits, if any.
- May 24, 2010: Opening Briefs.
- May 28, 2010: Reply Briefs, if any.

Accordingly, the hearing previously scheduled for April 30, 2010 is cancelled. The parties shall immediately notify the board of any settlement. Otherwise the case shall be submitted according to the agreed upon schedule and the board will address the matters in dispute and issue a decision based upon the record as necessary.

So ordered.

April 14, 2010


Douglas L. Ingersoll, Esq.
Executive Director/Presiding Officer

Distribution:
Andrea K. Johnston, Esq.
John S. Krupski, Esq.