



STATE OF NEW HAMPSHIRE
PUBLIC EMPLOYEE LABOR RELATIONS BOARD

**State Employees Association of NH, Inc., SEIU Local 1984/
Chapter 57, Littleton Police Employees**

v.

Town of Littleton

Case No. G-0171-1

Decision No. 2012-001

Order

The parties both filed motions pursuant to the pre-hearing order (2011-262) about how to proceed with the scheduling of this matter given related grievance arbitrations which have been or will be scheduled for January 23, 2012 and March, 2012. The Union opposes the scheduling of a hearing on its complaint at this time, contending the pending arbitrations may resolve or otherwise eliminate the need for a hearing on the complaint. The Town requests that the PELRB proceed with a hearing on the Union's complaint, arguing that the scope of the pending arbitration proceedings is limited to contractual disputes and the statutory claims raised in the Union's complaint cannot be determined through grievance arbitration and an adjudicatory hearing should accordingly be scheduled and held.

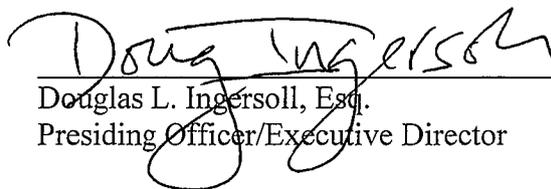
The filings in this matter reflect that the Union's unfair labor practice complaint and the pending arbitration arise from essentially the same situation, namely a threatened Union boycott of certain local businesses and the related investigation and disciplinary action undertaken by the Town. In their collective bargaining agreement the parties have agreed to arbitrate certain disputes, and the Union has expressed a preference for the arbitrations to occur prior to the

scheduling and conduct of a hearing on its complaint because such a hearing may ultimately become unnecessary once the arbitrations are complete. The Union's representations in this regard are accepted. Given the circumstances of this case the Union's motion is granted and the Town's motion is denied.

On or before May 15, 2012 the parties shall file a status report concerning the arbitration proceedings and an order will thereafter issue as appropriate and necessary.

So ordered.

January 3, 2012



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

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