



STATE OF NEW HAMPSHIRE
PUBLIC EMPLOYEE LABOR RELATIONS BOARD

Teamsters Local 633 of New Hampshire

v.

City of Franklin

Case No. G-0189-1
Decision No. 2012-046

PRE-HEARING MEMORANDUM AND ORDER

Date of Conference: February 28, 2012

Appearances: William R. Cahill, Jr., Esq. for the Complainant

Paul T. Fitzgerald, Esq. for the Respondent

Background:

The Union filed an unfair labor practice complaint on January 24, 2012 claiming that the City violated RSA 273-A:5, I (e) and (h) when it failed to comply with the parties' agreement resolving certain issues arising under the CBA and failed to submit its last offer to the Union for a vote as agreed by the parties. The Union requests that the PELRB order the City to make all employees whole.

The City denies the charges and claims that the parties did not reach a final tentative agreement.

ISSUES FOR DETERMINATION BY THE BOARD

Whether the City committed an unfair labor practice in violation of RSA 273-A:5, I (e) and (h) as charged by the Union.

DECISION

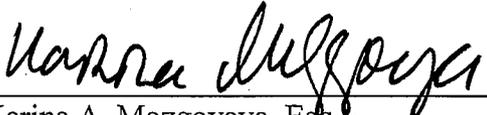
1. "Parties" means the Union, the City, or their counsel/representative appearing in the case. The parties shall simultaneously copy each other electronically on all filings submitted in these proceedings.
2. The parties shall file their final witness and exhibit lists and a comprehensive statement of stipulated facts no later than **March 9, 2012**. The parties shall promptly inform the PELRB of any resolution of this matter in the interim.
3. The parties shall pre-mark exhibits by placing identifying markers in the upper right corner of each exhibit, if possible. To facilitate access to a particular exhibit, the parties shall use tabs to separate exhibits.

HEARING

Unless otherwise ordered as a result of the filing of any subsequent motion or for other good cause shown, the adjudicatory hearing between the parties will be held on **March 13, 2012, at 9:00 a.m.** at the offices of the Public Employee Labor Relations Board in Concord. The time set aside for this hearing is 4 hours.

So ordered.

February 29, 2012



Karina A. Mozgovaya, Esq.
Staff Counsel/Hearing Officer

Distribution:
William R. Cahill, Jr., Esq.
Paul T. Fitzgerald, Esq.