



**STATE OF NEW HAMPSHIRE**  
PUBLIC EMPLOYEE LABOR RELATIONS BOARD

**Nashua Police Department Civilians, Teamsters Local 633 of N.H.**

v.

**City of Nashua, Board of Police Commissioners**

**Case No. G-0168-2**  
**Decision No. 2012-076**

PRE-HEARING MEMORANDUM AND ORDER

Date of Conference: April 6, 2012<sup>1</sup>

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

Steve M. Bennett, Esq., for the Respondent

Background:

The Union filed an unfair labor practice complaint on March 8, 2012 claiming that the City violated RSA 273-A:5, I (e) and (h) when, during negotiations on a successor collective bargaining agreement, it failed to maintain status quo in regard to rate increases in health insurance premiums. The Union requests that the PELRB order the City to cease and desist from its actions and make employees whole for health insurance premium increases in accordance with the parties' CBA.

The City denies the charges and claims that it has maintained status quo by continuing to pay on behalf of employees the same dollar amount towards the employees' health insurance premiums following the expiration of the parties' CBA. The City requests that the PELRB deny the Union's request for relief.

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<sup>1</sup> The parties filed a Joint Pre-Hearing Worksheet on April 3, 2012.

ISSUES FOR DETERMINATION BY THE BOARD

Whether the City violated RSA 273-A:5, I (e) and (h) as charged by the Union.

WITNESSES and EXHIBITS:

As outlined in the parties Joint Pre-Hearing Worksheet. It is understood that each party may rely on the representations of the other party that witnesses appearing on their respective list will be available at the hearing. Copies of all exhibits are to be submitted to the presiding officer in accordance with Pub 203.03. It is understood that each party may rely on the representations of the other party that the exhibits listed above will be available at the hearing.

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. At the pre-hearing conference, the parties moved to cancel the adjudicatory hearing currently scheduled for April 17, 2012 on the ground that they reached a tentative settlement agreement. The parties' motion is granted. The adjudicatory hearing is, hereby, cancelled. Per the parties' agreement, the City shall inform the Union on or before **April 18, 2012** whether the tentative settlement agreement is accepted. A party shall file a request for a hearing, if necessary, or other appropriate relief no later than **May 7, 2012**. The parties shall promptly inform the PELRB of any resolution of this matter in the interim.

So ordered.

April 6, 2012



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

Distribution:

William R. Cahill, Jr., Esq.

Steve M. Bennett, Esq.