



STATE OF NEW HAMPSHIRE
PUBLIC EMPLOYEE LABOR RELATIONS BOARD

Teamsters Local 633 of New Hampshire
(Pittsfield Police Department)

v.

Town of Pittsfield

Case No. G-0193-1
Decision No. 2012-118
(Corrected)

PRE-HEARING MEMORANDUM AND ORDER

Date of Conference: May 29, 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 April 9, 2012 claiming that the Town violated RSA 273-A:5, I (h) and (i) when it unilaterally issued a budget directive which changed the terms of the parties' agreement related to "work detail" and overtime. The Union requests that the PELRB order the Town to cease and desist from violating RSA 273-A:5, I and to make all police officers whole for loss of details and overtime wages.

The Town denies the charge and asserts that its actions were a proper exercise of management rights. The Town requests that the PELRB dismiss the complaint and award the Town any fees and expenses incurred in defending the charge.

ISSUE FOR DETERMINATION BY THE BOARD

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

DECISION

1. "Parties" means the Union, the Town, 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 agreed to discuss the submission of this case on stipulated facts, joint exhibits, and briefs. The parties shall file a request to submit this case on stipulated facts, joint exhibits, and briefs, if any, no later than **June 11, 2012**. Such request shall contain a proposed schedule for submission of stipulated facts, joint exhibits, and briefs. If no such request is submitted, the parties shall file their final witness and exhibit lists and a comprehensive statement of stipulated facts no later than **June 12, 2012**.
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 **June 21, 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.

May 29, 2012


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

Distribution:

William R. Cahill, Jr., Esq.

Paul T. Fitzgerald, Esq.