



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

**Franklin Education Association, NEA-New Hampshire**

v.

**Franklin School Board**

**Case No. E-0138-1**

**Decision No. 2012-204**

PRE-HEARING MEMORANDUM AND ORDER

Date of Conference: September 7, 2012

Appearances: James F. Allmendinger, Esq. for the Complainant

Matthew H. Upton, Esq. for the Respondent

Background:

On July 30, 2012 the Association filed an unfair labor practice complaint claiming that the District violated RSA 273-A:5, I (a), (e), (h), and (i) when it unilaterally extended the teachers' work day by 30 minutes. The Association requests that the PELRB order the District to cease and desist from its actions, to restore status quo ante, and to issue appropriate individual teaching contract that reflect the parties' collective bargaining agreement and rescind the previously issued individual teaching contracts for the 2012-2013 school year.

The District denies the charges and requests that the PELRB deny the relief requested by the Association.

ISSUES FOR DETERMINATION BY THE BOARD

Whether the District committed an unfair labor practice as charged by the Association.

## WITNESSES and EXHIBITS:

As outlined in the parties' Joint Pre-Hearing Worksheet. Both parties reserve the right to amend their lists of witnesses and exhibits in conformity with the schedule contained in the DECISION SECTION appearing at the conclusion of this order or, upon proper showing, later with reasonable notice to the other party. It is understood that each party may rely on the representations of the other party that witnesses and exhibits appearing on their respective lists will be available at the hearing.

## DECISION

1. "Parties" means the Association, the District 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 statement of stipulated facts no later than **September 11, 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, the adjudicatory hearing in this case will be held on **September 18, 2012, at 9:00 a.m.** at the offices of the PELRB in Concord. The time set aside for this hearing is 4 hours.

So ordered.

September 7, 2012

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

Distribution:  
James F. Allmendinger, Esq.  
Matthew H. Upton, Esq.