



STATE OF NEW HAMPSHIRE
PUBLIC EMPLOYEE LABOR RELATIONS BOARD

AFSCME Local 3657, Hillsborough County Sheriff's Office

v.

Hillsborough County Sheriff's Office

Case No. G-0012-19
Decision No. 2014-266

PRE-HEARING MEMORANDUM AND ORDER

Date of Conference: December 9, 2014

Appearances: Anna R. Shapell, Esq., for the Complainant
Carolyn M. Kirby, Esq., for the Respondent

Background:

On November 6, 2014, the AFSCME Local 3657, Hillsborough County Sheriff's Office (Union) filed an unfair labor practice complaint alleging that the Hillsborough County Sheriff's Office (County) violated RSA 273-A:5, I (a), (e), (g), and (i) when it unilaterally changed the established past practice of allowing bargaining unit employees who reside outside the County to take assigned vehicles home. The Union requests, among other things, that the PELRB order the County to bargain the impact of the change, to cease and desist from violating RSA 273-A, to publicly post the findings of the PELRB for thirty days, and to make the Union whole for all costs and expenses incurred in pursuit of this charge.

The County denies the charges and asserts that there is no valid past practice of allowing employees residing outside the County to take assigned vehicles home; and that there has been

no change in employees' working conditions. The County requests that the PELRB dismiss the complaint.

ISSUES FOR DETERMINATION BY THE BOARD

Whether the County violated RSA 273-A:5, I (a), (e), (g), and/or (i) as charged by the Union.

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 Pub 203.01. 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

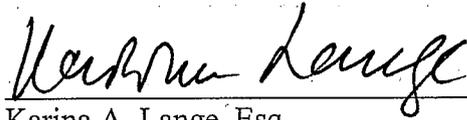
1. "Parties" means the Union, the County or their counsel/representative appearing in the case. The parties shall simultaneously copy each other electronically on all filings submitted in these proceedings.
2. The parties shall file a joint statement of stipulated facts and their final witness and exhibit lists no later than 10 days prior to the date of hearing.
3. The requirement that the parties file copies of proposed exhibits prior to the date of adjudicatory hearing is suspended. The parties shall not file, either electronically or via mail, proposed exhibits prior to the day of hearing.
4. The parties shall pre-mark each exhibit by placing identifying markers in the upper right corner of each exhibit, if possible, and bring an original and five (5) copies of each exhibit to the hearing. 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 **December 22, 2014, at 8:30 a.m.** at the offices of the PELRB in Concord. The time set aside for this hearing is 4 hours. If either party believes that additional time is required, a written notice of the need for additional time shall be filed with the PELRB at least 10 days prior to the date of hearing.

So ordered.

December 9, 2014



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

Distribution: Anna R. Shapell, Esq.
Carolyn M. Kirby, Esq.