



State of New Hampshire
Public Employee Labor Relations Board

AFSCME Council 93, Local 534, AFL-CIO

and

Town of Moultonborough

Case No. G-0270-1

Decision No. 2018-050

Order

On May 1, 2018, the parties in the above captioned case appeared at the PELRB offices in Concord for a hearing on the Town's objection to the AFSCME's petition for certification. Prior to the commencement of the hearing, the counsel for the AFSCME requested a continuance on the ground that the AFSCME's witnesses refused to attend the hearing due to the intimidation by the employer. The AFSCME alleged, among other things, that on the day of the hearing, one of the witnesses was threatened with a dismissal by his supervisor if he testified at the hearing.¹ The Town denied these allegations and objected to the continuance.

The Town's objection is overruled and the AFSCME's request for continuance is granted. Accordingly, the hearing is rescheduled for **May 16, 2018 at 9:30 a.m.** A rescheduled hearing notice shall issue forthwith.

Both parties reserve the right to amend their lists of witnesses and exhibits in conformity with Pub 203.01 and to request subpoenas in accordance with Pub 203.01. It is understood that

¹ Under RSA 273-A:5, I (d), "[i]t shall be a prohibited practice for any public employer ... [t]o discharge or otherwise discriminate against any employee because he has filed a complaint, affidavit or petition, or given information or testimony under this chapter..."

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.

The requirement that the parties file copies of proposed exhibits prior to the date of hearing is suspended. The parties shall not file, either electronically or via mail, proposed exhibits prior to the day of hearing. 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 copies of each exhibit to the hearing. To facilitate access to a particular exhibit, the parties shall use tabs to separate exhibits.

So ordered.

Date: May 1, 2018


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

Distribution: Sean Cronin, Esq.
Joseph Delorey, Esq.
Mark T. Broth, Esq.