

STATE OF NEW HAMPSHIRE

PUBLIC EMPLOYEE LABOR RELATIONS BOARD

LACONIA PROFESSIONAL FIREFIGHTERS,
IAFF, LOCAL #1153, AFL-CIO

Complainant:

and

LACONIA FIRE COMMISSION, CITY OF
LACONIA, NEW HAMPSHIRE

Respondent :

CASE NO. F-0103:1

DECISION NO. 81-53

APPEARANCES

Representing the Firefighters, Local #1153:

Linda L. Murtha, Esq., Counsel
Christopher Henchey, IAFF

Representing the City of Laconia:

James N. Sessler, Esq., Counsel
Louis T. Wool, Chief

BACKGROUND

On March 27, 1981, Local 1153, Laconia Fire Fighters, IAFF filed unfair labor charges against the Laconia Fire Department and Louis T. Wool, in his capacity as Chief, for unilaterally instituting new rules and regulations which were in conflict with the collective bargaining agreement in existence.

Deputy Chief Robert E. Wallingford on behalf of the City stated the Local had been contacted prior to implementation and as the contract did not stipulate that work rules be negotiated, the rules were put into effect.

The Local requested at the time of filing that a hearing be delayed in order to see if the matter could be resolved by the parties.

No resolution was reached, and on October 2, 1981 Counsel Attorney Richard E. Molan, filed a motion to amend the original petition to allow his firm to be named as representative for Local 1153.

Hearing was held in the Board's office in Concord on October 22, 1981 and discussion held on the conflict between the rules and the contract in effect.


Upon questioning by the Board, the Counsels for the City and Local 1153 agreed to sign the following stipulation.

"Now comes the parties in the above caption matter and hereby stipulate and agree that, to the extent any work rules promulgated by the Laconia Fire Commission or its Agents conflict with the provisions of the current collective bargaining agreement between the parties, said work rule, or rules, are null and void and have no effect as to members of the bargaining unit."

"Signed for Laconia Fire Commission by James N. Sessler, Esquire." and
"Signed for Laconia Professional Fire Fighters' Association, Local #1153 by Linda L. Murtha, Esquire."

BOARD DECISION

The above stipulation having been signed by Counsels for the complainant and the respondent, the unfair labor practice complaint is hereby dismissed.


EDWARD J. HASELTINE, Chairman
PUBLIC EMPLOYEE LABOR RELATIONS BOARD

Signed this 26th day of October, 1981.

Chairman Edward J. Haseltine presiding, members Russell F. Hilliard, Seymour Osman and James C. Anderson present. Also present, Executive Director Evelyn C. LeBrun.