

TOWN OF DERRY ADMINISTRATIVE
SUPPORT STAFF, AFSCME

Complainant

v.

TOWN OF DERRY

Respondent

CASE NO. A-0483:1

DECISION NO. 83-52

APPEARANCES

Representing the Town of Derry Administrative Support Staff, AFSCME

Edward Edwards, Field Representative

Representing the Town of Derry

Gary Wulf, Chief Negotiator

Also in Attendance

Ann Marie Foote
Barbara Hargraves
Suzanne Sandblom
May Casten

Paul P. Collette
Leona DesRosiers
Janet Conroy
Ed Anderson

William D. Cox
David N. Gomez
Candy Frank, Derry News

BACKGROUND

On March 4, 1983, AFSCME Council #68 filed improper practice charges against the Town of Derry, claiming violation of RSA 273-A:5 (a), (c), (interfering with employees' rights and discriminating against union members) in that the union claimed that the Town laid off Mrs. Barbara Hargraves because of her support for the Union. The Town of Derry denied the allegations and responded that the Town was simply restructuring "the financial management of its offices".

A hearing was held at the Board's office in Concord on October 6, 1983, and all parties were represented.

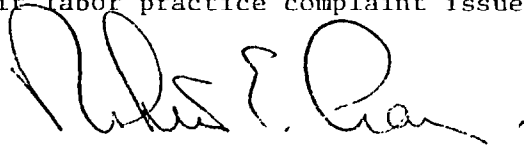
FINDINGS OF FACT AND RULINGS OF LAW

At the hearing, considerable testimony was taken concerning the activities leading up to the certification of the Union in April, 1983, and the relationships among the various employees of the Town and Mrs. Hargraves. Testimony was also received from Town Officials about the reorganization and subsequent changes in persons in various jobs.

The testimony and evidence received did not establish that the Town dismissed Mrs. Hargraves because of her union activities.

DECISION AND ORDER

The Board finds that the Town of Derry did not violate RSA 273-A:5 (a) and (c) and, accordingly, the unfair labor practice complaint issued in this matter is hereby dismissed.



ROBERT E. CRAIG, CHAIRMAN
PUBLIC EMPLOYEE LABOR RELATIONS BOARD

Signed this 8th day of November, 1983

By unanimous vote. Chairman Robert E. Craig, presiding, members Robert Steele, Russell Hilliard present and voting. Also present, Executive Director, Evelyn C. LeBrun.