



State of New Hampshire

PUBLIC EMPLOYEE LABOR RELATIONS BOARD

* * * * *

SEIU, LOCAL 254, AFL-CIO

COMPLAINANT

v.

ROCKINGHAM COUNTY COMMISSIONERS and
ERNEST P. BARKA, IN HIS CAPACITY AS
CHAIRMAN

RESPONDENTS

* * * * *

CASE NO. M-0572:1

DECISION: 86-36

APPEARANCES

Representing SEIU, Local 254, AFL-CIO:

E. W. Buffum, Representative
R. D. Irving, Corrections Officer

Representing Rockingham County and Chairman Barka:

Alan Hall, Esq., Counsel
Patricia Donovan, Asst. Supt.
Roy E. Morrisette, Personell Mgr.

BACKGROUND

SEIU, Local 254, AFL-CIO filed unfair labor against the County and Ernest P. Barka, Chairman for alleged discrimination against employees because of union membership and refusing to bargain over wages, benefits and other working conditions.

Counsel for the County filed a "Motion to Dismiss" on the basis that Local 254 had not complied with 304.01 and that the contract between the parties clearly stated under Article XVI that:

"This contract constitutes the entire agreement and final resolution of all matters in dispute between the Employer and the Union arrived at as a result of collective bargaining and disposes of all bargainable issues for the life of this contract".

Agreement between the parties is in effect through March 31, 1988.

DECISION AND ORDER

After hearing testimony from both parties on the Motion to Dismiss, PELRB unanimously found that Local 254 failed to make a prima facia case and dismissed the case at hearing upon merits.


ROBERT E. CRAIG, CHAIRMAN

Signed this 17th day of April, 1986.

By unanimous vote. Chairman Robert E. Craig presiding. Members W. Roulx, Seymour Osman and James Anderson present and voting. Also present, Executive Director, Evelyn C. LeBrun.