



**State of New Hampshire**

PUBLIC EMPLOYEE LABOR RELATIONS BOARD

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TEAMSTERS LOCAL 633 OF  
NEW HAMPSHIRE

Petitioner

v.

TOWN OF HOOKSETT,  
POLICE DEPARTMENT

Respondent

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CASE NO. P-0755:1

DECISION NO. 1998-023

APPEARANCES

Representing Teamsters Local 633 of New Hampshire:

Thomas D. Noonan, Business Agent

Representing Town of Hooksett Police Department:

Renny Perry, Consultant

Also appearing:

Jacques Plante, Hooksett Police Department  
Charles Pelton, Hooksett Police Department  
Tom Ketch, Hooksett Police Department  
Ken Chamberlain, Hooksett Police Department  
Gary Blanchette, Hooksett Police Department  
James Oliver, Chief, Hooksett Police Department

BACKGROUND

On December 4, 1997, Teamsters Local 633 of New Hampshire filed a petition to modify the existing bargaining unit within the Hooksett Police Department by adding sergeants and the head dispatcher. On December 18, 1997, the Town of Hooksett filed its

response. The Town objects to the modification based on the supervisory nature of the positions and because the criteria of Rule PUB 302.05 have not been met. The matter was heard before the undersigned hearing officer on February 6, 1998.

FINDINGS OF FACT

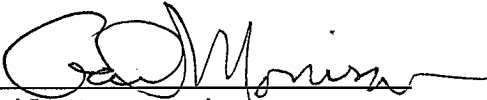
1. The Town of Hooksett employs police officers and other personnel to operate the Hooksett Police Department and so is a "public employer" within the meaning of RSA 273-A:1 X.
2. Teamsters Local 633 of New Hampshire was certified as the exclusive bargaining representative for all full-time police officers on December 10, 1990.
3. The bargaining unit composition was modified to include dispatchers, the administrative clerk and the receptionist on November 14, 1995. The chief of police, lieutenants, sergeants, secretaries, dog officers and prosecutor were excluded.
4. The head dispatcher acts in a role similar to a sergeant. This position is in charge of the dispatch functions and personnel for the Hooksett Police Department and is responsible to the chief through the lieutenant. The chief dispatcher schedules staff, disciplines and commends, and evaluates those whom he supervises. (Joint Exhibit No. 2).
5. Charles Pelton has been a sergeant since 1991. He does patrol work and answers to the lieutenant. He is a patrol sergeant who supervises a shift, enforces rules and regulations and is responsible for the satisfactory performance of those on his shift. He does performance appraisals of his officers, (Town Exhibit No. 4), and confers with the chief on his shift's performance every two months. Sergeants can give oral reprimands and written recommendations for more severe discipline. The sergeant may relieve an officer not fit for duty and may decide which matters are serious enough to warrant reporting to the lieutenant or chief. (Joint Exhibit No. 1). Sergeants sit on oral boards and participate in the hiring process.

DECISION AND ORDER

No reorganization or significant change in duties has been pled that would warrant a modification of the bargaining unit. Rule PUB 302.05. The testimony and evidence presented is not convincing that the composition of this bargaining unit is incorrect. The sergeants and head dispatcher have true supervisory authority which is exercised as they carry out their daily duties. RSA 273-A:8 II. The petition to modify the bargaining unit at the Hooksett Police Department is denied.

So ordered.

Signed this 17th day of March, 1998.

  
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Gail C. Morrison  
Hearing Officer