

## State of New Hampshire

PUBLIC EMPLOYEE LABOR RELATIONS BOARD

TOWN OF SEABROOK

Complainant

v.

SEABROOK PERMANENT FIREFIGHTERS,  
IAFF, LOCAL 2847

Respondent

CASE NO. F-0121:16

DECISION NO. 2000-049

### CONSENT DECREE AND ORDER DISMISSING COMPLAINT

The parties, both represented by counsel and appearing before the PELRB at its offices in Concord, New Hampshire on June 15, 2000, announced the following joint stipulation in settlement and withdrawal of the pending unfair labor practice complaint, to wit:

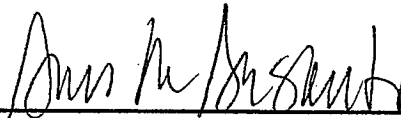
- A. That the position of Fire Chief is an elected supervisory position and, as such, is excluded from the definition of a "public employee" pursuant to RSA 273-A:1, IX (a), and is therefore not part of the bargaining unit recognized by the current CBA between the parties.
- B. The parties agree that the Town's Exhibits 2, 3, 4 and 6 were not initiated by Local 2847 and that the position of Fire Chief has no standing to initiate a grievance under the current CBA.
- C. The Town agrees that it shall hear the grievance filed on April 13, 2000 by the Seabrook Permanent Firefighters, Local 2847, and that the Town will rule on the grievance within five (5) business days of the signing of this Agreement.

- D. In the event that the Union is dissatisfied with the remedy of the Town, they may proceed immediately to Level 5 of the Grievance Procedure contained within the collective bargaining agreement between the parties.

Upon review of the parties' joint stipulation, the PELRB determined that it was in the best interests of the parties and it would be beneficial to the collective bargaining process contemplated by RSA 273-A:3. Accordingly, the PELRB adopted the parties' joint stipulation as and for its disposition of this case and directed that the underlying unfair labor practice complaint be DISMISSED in accordance therewith.

So ordered.

Signed this 15<sup>th</sup> day of June, 2000.



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DORIS M. DESAUTEL  
Alternate Chairman

By unanimous vote. Alternate Chairman Doris M. Desautel presiding. Members E. Vincent Hall and Seymour Osman present and voting.