



State of New Hampshire
PUBLIC EMPLOYEE LABOR RELATIONS BOARD

New England Police Benevolent Association, Inc.

and

Town of Windham

and

AFSCME Council 93, Local 3657

Case No. G-0165-4

Decision No. 2013-120

Order

On June 26, 2013, the New England Police Benevolent Association, Inc. (NEPBA) filed a challenge petition for certification in Case No. G-0165-3 requesting a secret ballot election to resolve a question of representation of the Town of Windham Police Department bargaining unit currently represented by the AFSCME Council 93, Local 3657. See PELRB Certification of Representative and Order to Negotiate, Case No. A-0531 (December 17, 1986). The NEPBA also filed a petition for modification in the above captioned case seeking to add positions of Corporal and Sergeant to the Windham Police Department bargaining unit description.

Pursuant to the Notice of Filing, issued on June 27, 2013 and duly posted by the employer, exceptions, objections, and/or petitions to intervene were due no later than July 12, 2013. No exceptions, objections, or petitions to intervene have been filed. Furthermore, based on the review of the record, the position of Sergeant was added to the subject bargaining unit in 1991 pursuant to PELRB Decision No. 91-72 (September 16, 1991); and the employer does not object to the addition of the Corporal position to the bargaining unit description. Accordingly,

the petition for modification is granted. The Town of Windham Police Department bargaining unit is as follows:

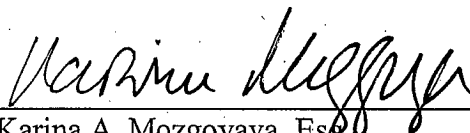
UNIT: Patrolmen, Dispatchers, Sergeants, and Corporals employed by the Town of Windham Police Department.

EXCLUDED: Chief of Police and Captains.

The exclusive representative of this bargaining unit shall be determined by a secret ballot election pursuant to Pub 301.01.

So ordered.

July 22, 2013



Karina A. Mozgovaya, Esq.
Staff Counsel/Hearing Officer

Distribution:

Anthony L. Archinski, Director of Administration
David Sullivan, Town Administrator
Joseph Delorey, Esq.