



STATE OF NEW HAMPSHIRE
PUBLIC EMPLOYEE LABOR RELATIONS BOARD

AFSCME Local 1801, Salem Public Works Employees

v.

Town of Salem

Case No. G-0027-6

Decision No. 2015-038

Order

Prior to the March 5, 2015 hearing the parties reached an agreement to resolve this case which they documented in their March 5, 2015 Stipulation.¹ The Stipulation is approved. Case dismissed.

So ordered.

Date: March 23, 2015

/s/ David J. T. Burns
David J. T. Burns, Esq.
Alternate Chair

By unanimous vote of Chair David J. T. Burns, Alt. Chair, and Board Members James M. O'Mara, Jr. and Senator Mark Hounsell.

Distribution: Anna R. Shapell, Esq.
Joseph DeLorey, Esq.
Marie S. McKean, Esq.

¹ The parties filed their March 5, 2015 Stipulation with the PELRB and a copy of the Stipulation is attached to this order.



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STIPULATIONS

Now come the parties and stipulate and agree as follows:

1. For purposes of resolving all outstanding disputes in the above referenced matter, the parties enter into the following stipulations and request the Public Employee Labor Relations Board approve and enter these stipulations as an order.

2. Town of Salem Department of Public Works SOP #12 has been revised. Attached hereto as Exhibit A.

3. PELRB Stipulated Order, Decision 1998-100 and Town of Salem DPW Policy #8 are hereby rescinded and replaced by SOP #12.

AFSCME Local 1801, Salem Public Works Employees

By: _____

Anna R. Shapell, Esq.

Date: _____

3/5/15

Town of Salem

By: _____

Marie S. McKean, Esq.

Date: _____

March 5, 2015

Exhibit A to March 5, 2015 Stipulation, PELRB Case No. G-0027-6

All employees who wish to utilize time off benefits listed on the Employee Request Form; personal, sick, vacation, landfill comp time, recuperation time, bereavement time, jury duty, or other must notify their working foreman/supervisor in person with a completed form. When your working foreman/supervisor receives this notification he/she will provide the request form with their signature to their supervisor, Operations Manager or Utilities Manager. The on-call foremen will receive notification of the status of these requests from their supervisor prior to scheduling overtime assignments during normal working hours.

Should any employee included in the winter emergency operation plan, outside of normal working hours need to be relieved of their Article 18, Section 1 obligation between November 15th and April 15th that would affect their ability to make themselves available will notify the Operations Manager of their unavailability as soon as is practicable. The notice of unavailability will be honored subject to the operating requirements of the Town as determined by the Public Works Director or his/her designee. This provision is effective pending the Operations Manager's acknowledgement of the employee's notification.

If your request for leave is being made for normal work hours; leave an appropriate message on the DPW main telephone line 890-2150 before 7:00AM, and complete the appropriate paperwork when returning to work. PRIOR to being allowed to return to work after an absence of three (3) consecutive work days an employee shall submit a doctor's statement to their supervisor clearing the employee for return to his/her regular duties. Failure to follow these procedures may jeopardize the use of these benefits.

Failure to receive approval with a minimum of 24 hour notice for vacation request will result in the vacation request being denied. Failure to process all other types of leave requests at work, or immediately upon your return to work with your foreman's/supervisor's signature will result in the leave request being denied.

This policy shall govern all DPW employees for leave requests, unless an employee's CBA dictates differently.