

AFSCME Local 3657, Milford Police Employees v. Town of Milford, Decision No. 2008-152 (Case No. P-0797-3).

Background: The union filed an unfair labor practice complaint against the town alleging that the town, through its police chief, improperly informed bargaining unit members that sergeants were out of the union pursuant to the previously issued PELRB decision. The union claimed that the town's actions in meeting with a bargaining unit member individually, unilaterally excluding sergeants from the bargaining unit, refusing to recognize the union as the exclusive representative of the sergeants, and refusing to comply with the PELRB's order constituted an unfair labor practice. The union also claimed that the town restrained, coerced or interfered with the employees in the exercise of their rights and with the administration of the employee organization in violation of RSA 273-A:5, I. The town denied the charges asserting that it acted properly and that the issues raised by the complaint were already pending before the PELRB in the town's petition for declaratory ruling.

Decision: The PELRB dismissed the complaint finding that the police chief's statements concerning PELRB's previous decision did not rise to the level of an unfair labor practice. The PELRB also found that there was insufficient evidence that the police chief or the town documented or implemented the exclusion of sergeants from the coverage of the current collective bargaining agreement.

Disclaimer: This summary is intended to provide a brief description of the issues in this case and the outcome. The summary is not a substitute for the decision, should not be relied upon in place of the decision, and should not be cited as controlling or relevant authority in PELRB proceedings or other proceedings.