

**Hampton Falls Police Union, NEPBA and Town of Hampton Falls**, Decision No. 2009-017  
(Case No. P-0802).

**Background:** The union filed a written majority authorization petition for certification seeking to represent a bargaining unit consisting of certain positions. The town objected on the grounds that the proposed unit lacked the requisite 10 employees with the same community of interest; that some of the part-time patrol officers should be excluded from the unit because they are irregular or on-call employees; that the lieutenant position should be excluded from the unit because it was a supervisory position; and that the administrative assistant position should be excluded from the unit because it was a confidential position.

**Decision:** The PELRB found that the lieutenant position was not a supervisory position involving the significant exercise of discretion. However, the PELRB also found that some part-time officers were irregular or on-call employees and excluded them for the proposed bargaining unit. As a result, the proposed bargaining unit contained less than 10 employees required under RSA 273-A:8, I. The PELRB dismissed the petition.

***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.***