

Teamsters Local 633 of New Hampshire v. Town of Newmarket, Decision No. 2009-040
(Case No. G-0063-3)

Background: The union filed an unfair labor practice complaint against the town claiming that the town violated the non-discriminatory provision of RSA 273-A:5, I (c) by implementing a policy and benefit program for non-union employees while withholding same benefits from employees who had provided notice of their intent to organize. The town denied the charges asserting that the disputed benefits were properly withheld in order to maintain the status quo relationship between the parties pending contract negotiations.

Decision: The PELRB found that withholding of the benefits at issue was within the discretion of the town administrator and that the town administrator's actions did not interfere with the formation of the bargaining unit and the election of exclusive representative. The PELRB dismissed the complaint.

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.