

New England Police Benevolent Association, IUPA, AFL-CIO and Town of Deerfield,
Decision No. 2010-131 (Case No. G-0139-1).

Background: The Union filed a WMA petition seeking to represent certain employees of the Police Department. The Town objected claiming that the proposed bargaining unit did not contain a minimum of ten employees required under RSA 273-A:8, included supervisory (Corporal) and confidential (Secretary) employees in violation of RSA 273-A:8, II and RSA 273-A:1, IX (c) and lacked a community of interest.

Decision: The PELRB found that the Corporal was not a supervisory employee within the meaning of RSA 273-A:8, II, as he did not exercise supervisory authority involving the significant exercise of discretion; that the Secretary was not a confidential employee within a meaning of RSA 273-A:1, IX (c), as her duties do not imply a confidential relationship to the public employer; and that the proposed bargaining unit shared a sufficient community of interest. The PELRB granted the petition even though a temporary vacancy occurred during the pendency of the proceedings which reduced the number of employees from ten to nine because at the time the petition was filed and the authorization cards were inspected, the proposed unit contained 10 employees.

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.