

**NEPBA, Moultonborough Police Association and Town of Moultonborough**, Decision No. 2011-039 (Case No. G-0144-1).

**Background:** The Union filed a Written Majority Authorization 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 as required under RSA 273-A:8, I, included supervisory and confidential employees, and lacked a community of interest.

**Decision:** The position of Prosecutor was excluded from the proposed bargaining unit because it lacked a community of interest with the other employees in the unit. The other positions in the proposed bargaining unit were found to have a requisite community of interest. The positions of Executive Assistant, Sergeant and Corporal were included in the unit because the PELRB found that the Executive Assistant was not a confidential employee and that the Sergeants and the Corporal did not exercise supervisory authority involving the significant exercise of discretion. As the number of the authorization cards was sufficient to establish a written majority authorization, the Union's petition for certification was granted.

***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.***