

Exeter Professional Fire Fighters Association, IAFF, Local 3491 v. Town of Exeter Fire Department, Decision No. 2011-133 (Case No. G-0071-1). Decision on remand from the Supreme Court.

Background: The Union claimed that the Town violated Minimum Manning Article of the parties' CBA and thereby committed an unfair labor practice in violation of RSA 273-A:5, I (h). The PELRB previously dismissed the Union's breach of contract claim for lack of jurisdiction. See PELRB Decision No. 2009-118.

Decision: On remand, the PELRB the found that a new hearing or the receipt of additional evidence was not required. Based on existing record, the PELRB denied the Union's claims finding that the Town did not violate the Minimum Manning Article of the CBA because during relevant time periods five or more Fire Department Personnel staffed the subject shift and because the term "Fire Department Personnel" was not limited to bargaining unit 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.