

Professional Fire Fighters of Goffstown, IAFF Local 3420 v. Town of Goffstown, Decision No. 2013-215 (Case No. G-0186-2).

Background: The Union claimed that the Town violated RSA 273-A:5, I (a), (b), (e), (f), (g), & (i) when it refused to pay certain employees contractual hourly wage rate upon completion of their probation. The Town countered that, under the “status quo” doctrine, past practice, and other applicable law, subject employees were not entitled to pay beyond their current pay status.

Decision: The PELRB found that the Town committed an unfair labor practice as a result of its failure to provide contractual Step B wages to three firefighters who had completed their probationary requirements, including 12 months of service, certification as an EMT-I, and requisite proficiency in Hazardous Materials Operations. The contractual Step B wage was akin to an education pay increase that continued during status quo under *Appeal of Alton*, and not to an experience-based/step increase usually not continued during the status quo, as argued by the Town, and the affected firefighters were entitled to the increase. Step B was also the first wage placement for employees when they had achieved “public employee” status under RSA 273-A and formally became “bargaining unit employee.”

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.