

Town of Gilford and AFSCME Council 93, Local 534, Gilford Public Works Employees,
Decision No. 2015-196 (Case No. G-0224-1).

Background: The Town filed a modification petition seeking to remove the position of Head Mechanic from the existing bargaining unit represented by the Union. The Town asserted that the Head Mechanic was a newly-created position and that it was supervisory within the meaning of RSA 273-A:8. The Town later amended its petition by adding the Shop Supervisor position to the positions to be removed from the bargaining unit. The Union objected to the petition on the ground that the position of Head Mechanic/Shop Supervisor was previously included in the bargaining unit and that there has been no change in circumstances because the current position's duties did not materially differ from the duties performed by the former Head Mechanic/Shop Supervisor.

Decision: The Town's request to remove the Head Mechanic position from the bargaining unit was granted because there had been a sufficient change in circumstances to justify a modification of the bargaining unit in this case as, among other things, the Head Mechanic was a newly-created position; and because the Head Mechanic was a supervisory employee within the meaning of RSA 273-A:8. The Town's request to remove the Shop Supervisor position on the ground that it was a supervisory position was denied based upon the finding that this position no longer existed and the Town's request was, therefore, moot.

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.