

United Steelworkers of America v. Manchester Water Works, Decision No. 2016-018 (Case No. G-0058-27).

Background: The Union filed an unfair labor practice complaint claiming that the Manchester Water Works (City) violated RSA 273-A:5, I (a), (b), (c), (e), (g), and (h) when it refused to provide information the Union requested in connection with the prosecution of a grievance concerning the denial of promotion on the basis of the grievant's absentee record. The Union requested from the City, among other things, the attendance records for every employee who was promoted or denied promotion within the last five years. The City denied the charges and claimed that the Union's request for information is overly broad and burdensome. During the hearing, the City indicated that it was willing and able to provide the outstanding requested information if the Union agreed to compensate the City for the hours it took the City employees to compile the information.

Decision: The PELRB found that the information the Union requested was essential to the Union's ability to represent the grievant in the contractual grievance proceedings; that the City interfered with the Union's ability to access complete information and its ability to evaluate the grievant's case and determine what level of representation was appropriate; and that the costs and burden of compliance with the request do not justify the City's refusal to supply the information requested. The Union's claim that the City violated RSA 273-A:5, I (a), (b), (g), (e), and (h) was sustained. The evidence was insufficient to prove that the City violated RSA 273-A:5, I (c); and this claim was denied. The City was ordered to cease and desist from refusing to provide to the Union the information it requested.

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.