

AFSCME Local 3657, Hillsborough County Sheriff's Office v. Hillsborough County,
Decision No. 2016-298 (Case No. G-0012-20).

Background: The Union filed an unfair labor practice claiming that the County violated RSA 273-A:5, I (a), (b), (e), (g), & (h) when it unilaterally implemented cost items contained in a fact finder's report rejected by the Union but accepted by the County Delegation. The County denied the charges and claimed that its actions were consistent with a private sector employer's right to implement its last best offer in the event of an impasse under the National Labor Relations Act. The County also argued that it had the right to implement the disputed wage increase following the County Delegation's acceptance of the fact finder's report given the provisions of RSA 273-A:12, III & IV.

Decision: The Board found that the County committed an unfair labor practice in violation of RSA 273-A:5, I (a), (e), & (g) because the County Delegation's vote on the fact finder's report was not binding on the Union, did not settle ongoing bargaining disagreements over cost items, and did not provide the County with the right to make the disputed unilateral changes in wages. Among other things, the Board ordered that the County immediately suspend the disputed changes, including to bargaining unit employee wages, and return unit employees to the status quo in effect prior to implementation of the disputed changes.

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.