



STATE OF NEW HAMPSHIRE
PUBLIC EMPLOYEE LABOR RELATIONS BOARD

NEPBA, Moultonborough Police Association

and

Town of Moultonborough

Case No. G-0144-1

Decision No. 2012-243

Order

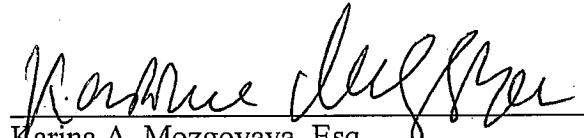
On October 16, 2012 the Supreme Court of New Hampshire issued its decision reversing the decision of the PELRB in the above captioned case as to its inclusion of the Sergeants and Corporal in the bargaining unit only. See *Appeal of Town of Moultonborough*, Supreme Court No. 2011-583. The Supreme Court remanded the case to the PELRB without making a ruling on eligibility of the bargaining unit after the exclusion of the Sergeant and Corporal positions. See *id.* The PELRB's determination of the bargaining unit composition was otherwise affirmed. See *id.* See also PELRB Decision No. 2011-039 (January 25, 2011).

The Court's removal of the Sergeants and the Corporal does not affect the bargaining unit's eligibility under the ten-employee minimum requirement of RSA-A:8, I because the unit still has ten employees, a majority of whom selected the Union as their exclusive representative.

Accordingly, the Certification of Representative and Order to Negotiate shall be amended to reflect the Court's exclusion of the Sergeant and Corporal positions from the bargaining unit.

So ordered.

October 31, 2012


Karina A. Mozgovaya, Esq.
Staff Counsel/Hearing

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