

Our file

**AGREEMENT BETWEEN
THE TOWN OF GILFORD, NEW HAMPSHIRE
and
THE AMERICAN FEDERATION OF STATE, COUNTY
AND MUNICIPAL EMPLOYEES, LOCAL 534
ON BEHALF OF THE
TOWN OF GILFORD PUBLIC WORKS DEPARTMENT EMPLOYEES**

April 1, 2015 – March 31, 2018

AMENDMENT #1

Be it known by all persons present that the Town of Gilford and AFSCME, Local 534 hereby agrees as follows:

WHEREAS, the parties have heretofore entered into a collective bargaining agreement (CBA) for the period April 1, 2015 through March 31, 2018; and

WHEREAS, the New Hampshire Public Employees Labor Relations Board (PELRB) Certification dated March 16, 1998, (Case # A-0583), excludes supervisory employees from representation in the bargaining unit; and

WHEREAS, the PELRB issued a Modification of Certified Bargaining Unit dated October 1, 2015, (Case # G-0224-1), to exclude the position of Head Mechanic from the bargaining unit; and

WHEREAS, the parties agree that the Department of Public Works employee holding the position of Head Custodian is required to exercise supervisory authority involving the significant exercise of discretion in accordance with the provisions of RSA 273-A:8,II; and as a result, may not belong to the same bargaining unit as the supervised employees;

NOW, THEREFORE, Section 1.3 of the CBA is hereby amended as follows:

*The following Town employees are excluded from the bargaining unit and are therefore not subject to the terms of this Agreement: Public Works Director, Operations Manager, Highway Superintendent, **Head Mechanic, Head Custodian**, Executive Secretary and Clerical Assistant/Receptionist.*

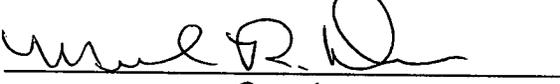
FURTHERMORE, Section 8.3 of the CBA is hereby amended by deleting the current text in its entirety (as noted below) and replacing it as follows:

~~The workday or workweek shall not be interrupted to avoid the payment of overtime. During storms, employees sent home early due to safety concerns as determined by the Department shall not lose any overtime. Employees who request time off for safety reasons due to extended work hours may be given up to sixty (60) minutes as a paid break after working at least twelve (12) consecutive hours or they may be allowed to leave work without pay at the discretion of the Director of Public Works (or his/her designee).~~

The workday or workweek shall not be interrupted to avoid the payment of overtime. During storm clean-up operations, employees who are sent home early for safety reasons or allowed to leave work early due to fatigue shall not lose any overtime pay for the hours actually worked. If this time-off from work takes place during a regular work shift, employee's may use available vacation leave, otherwise the leave period shall be unpaid, (employee's choice to be indicated in writing). In addition, all employees shall be given up to sixty (60) minutes as a paid break after working at least twelve (12) consecutive hours, (provided they return to work).

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals. ATTEST:

FOR AFSCME, LOCAL 534



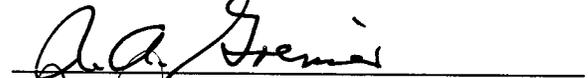




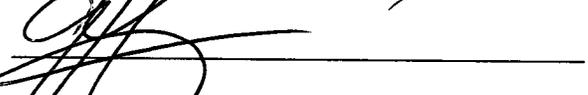


APPROVED ON: March 9, 2016

FOR THE TOWN OF GILFORD, N.H.







APPROVED ON: MARCH 9, 2016