

PELRB Office File

*Nov. 30, 1976
Revised Jan. 7, 1977.*

STATE OF NEW HAMPSHIRE

PUBLIC EMPLOYEE LABOR RELATIONS BOARD

LOCAL UNION NO. 1045, INTERNATIONAL	:	
ASSOCIATION OF FIRE FIGHTERS, AFL-	:	
CIO -- CLC, Concord, New Hampshire	:	CASE NO. F-0101-A
	:	
and	:	
	:	DECISION NO. 76-12
CITY OF CONCORD, NEW HAMPSHIRE	:	
	:	

BOARD DECISION

Appearances: Martin Pierce, International Vice President, International Association of Fire Fighters, Boston, Massachusetts, representing Local No. 1045, International Association of Fire Fighters, AFL-CIO, - CLC, Concord, New Hampshire

Raymond Kelley, President, Local 1045, Concord, New Hampshire
 Lawrence Potter, Fire Captain, Engine 1, Local 1045, Concord
 Raymond Thurston, Firefighter, Local 1045, Concord

Paul Cavanaugh, City Solicitor, City of Concord, New Hampshire representing the City.

Clayton Higgins, Chief of Department, City of Concord

A hearing on the unit determination for the Fire Department, City of Concord, New Hampshire, was held at 10:00 a.m., October 21, 1976, Room 306 of the Legislative Office Building, North State Street, Concord, New Hampshire, with Martin Pierce, International Vice President of the International Association of Fire Fighters, Boston, Massachusetts, representing Local No. 1045 of Concord and Paul Cavanaugh, City Solicitor, representing the City of Concord, New Hampshire.

Testimony was presented by President Kelley, Fire Captain Potter and Fire Fighter Thurston from the Concord Fire Department and several exhibits submitted for the Board's review. Testimony was also heard from Chief Higgins of the Concord Fire Department and cross-examining of all witnesses was allowed.

It is noted that a prior hearing was held on April 7, 1976 in Room 306 of the Legislative Office Building in Concord at which time evidence was heard and presented on the advantages and disadvantages of the inclusion of captains in the bargaining unit of the Concord Fire Department. Local 1045 was recognized on February 12, 1976 as the exclusive representative for the Concord Fire Department in accordance with the existing agreement which included all officers with the exception of the Chief, Deputy Chiefs, Training Officer, Fire Alarm Superintendent, Fire Prevention Officers and Chief Mechanic. Agreement terminated by written notice to the City of Concord by Raymond Kelley, President and Chairman of the Contract Negotiating Team, Local 1045 on March 4, 1976.

PELRB carefully reviewed all material submitted in April and October and rules, as follows:

1. Concord Fire Department shall be composed of two units; (a) Fire Fighters Unit, and, (b) Supervisory Unit.
2. The Fire Fighters Unit will include all Fire Fighters, Fire Alarm Dispatchers, Fire Alarm Linesmen, Fire Prevention Inspector, and Assistant Mechanic.
3. The Supervisory Unit will include all Fire Supression Officers, Lieutenants, Captains, Deputies, Mechanical Captain, Fire Alarm Captain, Fire Prevention Lieutenant, Fire Prevention Deputy, and Training Deputy.

PELRB felt that the composition of two units would serve to the best interest of the parties concerned.

It will be noted that in accordance with the Laws of 1975, RSA 273-A:10, VII,

"Two or more bargaining units may, with the approval of the Public Employer affected, combine for the purpose of engaging in collective bargaining negotiations...."

However, the Employer has the option to bargain with the units as one, or as separate units.

PELRB will schedule an election at an early date.



Edward J. Haseltine, Chairman
Public Employee Labor Relations Board

Signed this 30th day of November, 1976.