

PUBLIC EMPLOYEE LABOR RELATIONS BOARD

CITY OF MANCHESTER AND MANCHESTER
BOARD OF FIRE COMMISSIONERS

Complainant:

CASE NO. F-0104:3

and

DECISION NO. 780039

MANCHESTER FIREFIGHTERS ASSOCIATION
LOCAL 856, IAFF, AFL-CIO

Respondent :

BACKGROUND

Board Chairman Edward Haseltine met with both parties to the above dispute on September 5, 1978. At that meeting the following facts were established. Since Saturday, September 2, 1978, the Manchester Firefighters Association members have been engaged in a job action called a "sickout" and its members have been withholding their services from the City. The Firefighters and the City have failed to reach agreement on a contract.

On Saturday, September 2, 1978, the Hillsborough County Superior Court (Bean, J.) issued a temporary restraining order instructing the firefighters to return to work pending further order of this Board.

The full Board met on Tuesday, September 5, 1978, to consider these uncontested facts and an unfair labor practice complaint brought against the Association by the City.

FINDINGS

The Manchester Firefighters Association is engaged in an illegal job action prohibited by RSA 273-A:13 which provides, in part: "Strikes and other forms of job action by public employees are hereby declared to be unlawful...". The action of the firefighters is not justified regardless of any action of the City in negotiations for which adequate remedies exist if the Association alleges any unfair labor practices or if impasse is reached.

ORDER

The Board issues the following order under RSA 273-A:6 III:

1. The Manchester Firefighters Association, Local 856, International Association of Firefighters, AFL-CIO, its officers, executive board and members are hereby ordered to cease and desist from the present "sickout" and any and all other job action, strike or withholding of normal services from the City of Manchester and all firefighters are ordered to return to their normal duties at once.

2. The Board urges the parties to resume negotiations at once.

3. The Board orders each party to report action in compliance with this order and the status of negotiations to the Board within 48 hours of the time and date of this decision and at 48 hour intervals thereafter.



EDWARD J. HASELTINE, CHAIRMAN
PUBLIC EMPLOYEE LABOR RELATIONS BOARD

Signed this 21st day of November, 1978

Board members Allman, Anderson, Cummings and Moriarty also voting.
All concurred. Board Clerk Evelyn LeBrun also present.