

STATE OF NEW HAMPSHIRE

Public Employee Labor Relations Board

INTERNATIONAL UNION OF POLICE:  
ASSOCIATIONS, AFL-CIO

Petitioner :

v. :

TOWN OF JAFFREY N.H.

Petitionee :

CASE NO. P-0730

DECISION NO. 80026

APPEARANCES

Representing IUPA:

William E. Lavash, Executive Vice President  
David L. Roberts, President, Jaffrey Betterment Association  
Kevin P. Rivard, Jaffrey Betterment Association  
Albion R. Lane, Jaffrey Betterment Association

Representing the Town of Jaffrey:

David M. Tower, Esq. Counsel  
Philip J. Cournoyer, Chairman, Board of Selectmen  
James W. Balentine, Selectmen

BACKGROUND

The International Union of Police Associations, AFL-CIO, William E. Lavash, Executive Vice President, on May 28, 1980 filed a petition for certification with the accompanying individual signature cards for a proposed unit of full-time and part-time police officers in the Town of Jaffrey, N.H.

The Town, through its counsel, David M. Tower, filed objections to the proposed unit on the basis that:

- a) it did not meet the minimum requirement under the statute, RSA 273-A:8, 1 (d) and
- b) the specials or part-time officers were not public employees within the meaning of the law, defined under 273-A:1, X, (d).

A hearing to determine the appropriateness of the unit was held in the Board's office on July 3, with all regular members of the Board present.

#### FINDINGS OF FACT

1. The Jaffrey Police Department is made up of the chief, seven (7) full-time officers and four (4) special officers.
2. The special officers work in and around the schedule of the regular officers on weekends, for vacations, sick time and special events, such as, school dances, athletic events, etc.
3. All special officers have employment on a full-time basis other than with the Police Department.
4. Specials are paid on a quarterly basis whereas regular officers who work 40 hours or more a week are paid on a weekly basis.
5. Special officers do not receive any of the fringe benefits received by regular officers other than a \$50.00 annual uniform allowance.
6. Special officers are not required to meet state police training requirements in order to qualify for employment.
7. The special officers do not qualify as public employees under the statute as they are employed irregularly and on call (RSA 273-A:1, X, (d)).

#### BOARD DECISION AND ORDER

The petition having failed to meet the minimum requirements of 273-A:8, 1, (d), is hereby denied.

  
EDWARD J. HASELTINE, CHAIRMAN

Signed this 24th day of July, 1980.

By unanimous vote of the Board. Chairman Haseltine presiding, members Mayhew, Anderson, Hilliard and Osman present and voting. Also present, Executive Director, Evelyn C. LeBrun.