



State of New Hampshire

PUBLIC EMPLOYEE LABOR RELATIONS BOARD

INTERNATIONAL BROTHERHOOD OF POLICE	:	
OFFICERS, LOCAL 565, DERRY, N. H.	:	
	:	CASE NO. P-0702:5
and	:	DECISION NO. 83-57
	:	
TOWN OF DERRY, NEW HAMPSHIRE	:	(Appeal of Decision No. 83-47)
	:	

ORDER DENYING PETITION

FOR REHEARING

On September 26, 1983, PELRB entered a unanimous decision wherein it found the town of Derry, Board of Selectmen did engage in an unfair labor practice under RSA 273-A:5, I, (e) by failing to submit the agreement ratified by the Local 565, IBPO to the legislative body. The Town was also ordered to submit the agreement to the town legislative body for approval or rejection in accordance with the procedures set forth in the statute, RSA 273-A.

Gary W. Wulf, Chief Negotiator, on behalf of the Town filed October 12, 1983 for a rehearing alleging that the requirement to submit to the legislative body was not applicable in this case; that PELRB improperly interpreted and misrepresented the Town's position regarding offers made during negotiations; ignored the fact that negotiations continued after the alleged offense; and, that a major flaw existed in PELRB's assertion that the statute legally established the employer's negotiating team as the duly authorized agent.

PELRB carefully considered the above issues raised and determined that since the granting of a rehearing is a discretionary matter and all evidence had been presented and discussed at the original hearing held on June 16, 1983,

it therefore

ORDERS that the petition for rehearing be, and hereby is denied.

Dated this 15th day of November, 1983.

Robert E. Craig
ROBERT E. CRAIG, Chairman

Denied by unanimous vote. Chairman Robert E. Craig presiding, members Seymour Osman and James C. Anderson present and voting. Also present, Executive Director Evelyn C. LeBrun.