



State of New Hampshire

PUBLIC EMPLOYEE LABOR RELATIONS BOARD

AMERICAN FEDERATION OF STATE, COUNTY
AND MUNICIPAL EMPLOYEES, COUNCIL 93
LOCAL 2715

Petitioner

v.

HILLSBOROUGH COUNTY AND RICHARD W. ROULX;
In his capacity as Business Manager

Respondents

CASE NO. A-0428:25

DECISION NO. 90-71

DECISION AND ORDER

On July 11, 1990, the American Federation of State, County and Municipal Employees, Council 93, Local 2715 (Union) filed unfair labor practice charges against Hillsborough County and Richard W. Roulx, in his capacity as Business Manager (County) for failure to abide by the CBA's and the arbitrator's final and binding award wherein he found the County did violate the CBA's (Article 18.1 (b), (2) & (3) Nursing Home, Article 18 (2) and (3) Sheriff's Dept's., and Corrections Dept. Article 17.1) by not implementing annual and shift differential increases on or about July 1, 1989 as provided in the respective CBA's and award of minimum 6% increase for those departments in accordance with the final and binding grievance procedure (15.2 and 16.2) and ordered the County to forthwith implement the minimum increase of 6%, the shift and week-end differential and standby increase, as appropriate under the respective contracts.

Notice was sent to the County, July 13, 1990 with a request for a reply to the charges by July 26, 1990 in compliance with Pub 304.02.

The Union on August 9, 1990 renewed its request that the Board take immediate action on the unfair labor charges.

The Board at its meeting on August 14, 1990 found the County GUILTY of unfair labor practices by failing to implement the arbitrator's award and failing to respond to the charges filed, therefore, the County is ORDERED to comply with the award no later than September 30, 1990. Failure to comply



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ROULX, In his capacity as Business :
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to this order may result in further action under RSA 273-A:7 which states:

"273-A:7 INJUNCTIONS. The Board shall petition the superior court for the county in which the party sought to be enjoined is principally located for such order of the court as may be necessary to compel obedience to an order of the board and the superior court shall issue its order upon satisfying itself that:

I. The order of the board was within its jurisdiction to issue; and

II. There is substantial evidence on the record considered as a whole to support the finding of the board."

Report of compliance should be sent to our office, 163 Manchester St., Concord, New Hampshire 03301-5143 as soon as award is implemented but no later than September 30, 1990

Signed this 14th day of August, 1990.


EDWARD J. HASELTINE
Chairman

By unanimous vote. Chairman Edward J. Haseltine presiding. Members Seymour Osman and Daniel Toomey present and voting. Also present, Executive Director, Evelyn C. LeBrun.