



State of New Hampshire

PUBLIC EMPLOYEE LABOR RELATIONS BOARD

I.B.P.O., LOCAL 394

Petitioner

v.

CITY OF MANCHESTER, N.H.,
POLICE DEPARTMENT

Respondent

CASE NO. P-0706:20

DECISION NO. 90-90

APPEARANCES

Representing I.B.P.O., Local 394:

Edward J. Smith, Esq., Counsel

Representing City of Manchester, Police Department:

David Hodgen, Chief Negotiator
Carolyn Kirby, Esq.

Also appearing:

Louis Craig, Manchester Police Dept.
Donald Vandal, Manchester Police Dept.
Edward Kelley, Local 394
Virginia Farland, Local 394

BACKGROUND

Local 394, IBPO by Counsel filed unfair labor practice against the City of Manchester, Police Department alleging a violation of RSA 273-A:5 by refusing officer Farland access to her personnel file in preparation for her trial board hearing on disciplinary charges.

The City by its Chief Negotiator denied the charges and in further answer stated that the complainant had not exhausted its remedies or complied with PELRB Rule Pub 301.01 (a) (5) which requires details and requested dismissal of the charge.

After brief opening statements, the Board voted unanimously to grant the City's request for dismissal as the Local had not exhausted its remedies available under the collective bargaining agreement by and between the parties.

Signed this 13th day of September, 1990.


EDWARD J. HASELTINE
Chairman

By unanimous vote. Chairman Edward J. Haseltine presiding. Members Richard W. Roulx and E. Vincent Hall present and voting. Also present, Executive Director, Evelyn C. LeBrun.