



State of New Hampshire

PUBLIC EMPLOYEE LABOR RELATIONS BOARD

SALEM POLICE RELIEF :

Petitioner :

v. :

TOWN OF SALEM, N.H. and HOWARD :

GLYNN, IN HIS CAPACITY AS :

CHAIRMAN, BOARD OF SELECTMEN :

Respondent :

CASE NO. P-0715:11

DECISION NO. 90-112

APPEARANCES

Representing Salem Police Relief:

Theresa DeNafio, Esq., Counsel

Representing Town of Salem:

Robert Leslie, Esq., Counsel

Also appearing:

D. Micklon, Selectmen
David B. Tilton, Jr., Selectmen
Howard C. Glynn, Chairman
Robert Ciandella, Esq., Town Attorney
Det. Mark Pierson
Officer Joseph Swift
Devin P. Kineen, Union President
Lt. Foster
Patrolman Paul Marchand
Det. Mark Cavanaugh
Det. Roger Beaudet
Lt. Donald LeBlanc
Chief James Ross

BACKGROUND

Case No. P-0715:11, charges filed by the Salem Police Relief (Police) alleging bad faith bargaining on the part of the Board of Selectmen, specifically against Chairman Howard Glynn for statements made in response to an inquiry from a Salem citizen who questioned the status of negotiations.

The parties were then reasonably close to a settlement before the reconvened, duly constituted Town meeting. The Police alleged that the statements had an effect on voter reactions.


FINDINGS OF FACT

1. The statement made by Chairman Glynn at the meeting was in response to a legitimate question posed by a voter.
2. Chairman Glynn did not initiate the conversation regarding negotiations and all voters have a right to a response from the town officials.
3. A statement that contracts would not be finalized, or settled, within a week, cannot be construed as influential for either party.
4. The undisputed facts relative to statement made as having a chilling effect on harmonious relationship, (statement of policy under RSA 273-A) was in error as impasse had already been declared and it would not be logical to feel all issues in the process would be resolved and completed prior to the reconvened town meeting.

DECISION AND ORDER

PELRB finds no unfair labor practice and hereby DISMISSES, Case No. P-0715:11.

Signed this 18th day of October, 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.