



State of New Hampshire

PUBLIC EMPLOYEE LABOR RELATIONS BOARD

AFSCME COUNCIL #93, LOCAL 1348

Complainant

v.

TOWN OF HANOVER

Respondent

CASE NO. A-0576

DECISION NO. 94-54

APPEARANCES

Representing AFSCME, Local 1348:

James Gray, Staff Representative

Representing Town of Hanover:

Steven Hengen, Esq.

Also appearing:

Todd Braff, Council 93, AFSCME
Jean G. Ulman, Town of Hanover
Richard Hauger, Town of Hanover
William Tourville, Town of Hanover
Clifford R. Vermilya, Town of Hanover

BACKGROUND

The American Federation of State, County and Municipal Employees (AFSCME) (Union) filed a petition for certification for certain employees of the Town of Hanover on April 15, 1994. The Town filed an answer on April 28, 1994 stating that its only objection was the inclusion of the position of equipment foreman. This matter was then heard by the PELRB on May 31, 1994. Before the opening of the hearing on May 31, 1994, the parties met in caucus and then informed the PELRB that they were in agreement as to the composition of the bargaining unit, as follows:

INCLUDED: Treatment plant skilled laborer/operator,
mechanic, working foreman, equipment operator,

laborer, driver/laborer, maintenance technician, grounds foreman, assistant plant operator and treatment plant operator.

EXCLUDED: Director of public works, highway superintendent, sewer line maintenance and construction foreman, grounds superintendent, chief plant operator and equipment foreman.

As the equipment foreman was the only previously contested position, the parties' agreement to exclude this position was accompanied by certain stipulations as to a modification in the job description relative to unit work. Those stipulations were made a part of the record and are incorporated herein by reference.

Upon review of the parties' agreement as to the composition of the bargaining unit, the PELRB concludes that such a unit is consistent with the purposes of Chapter 273-A and that such a unit should hereby be established.

So ordered.

Signed this 8th day of June, 1994.


EDWARD J. HASELTINE
Chairman

By unanimous vote. Chairman Edward J. Haseltine presiding.
Members Richard Roulx and Richard Molan present and voting.