



State of New Hampshire

PUBLIC EMPLOYEE LABOR RELATIONS BOARD

AFSCME LOCAL 2301 for the	:	
SEABROOK SUPERVISORY EMPLOYEES	:	
	:	
Complainant	:	
	:	CASE NO. M-0592:7
v.	:	
	:	DECISION NO. 1998-103
TOWN OF SEABROOK	:	
	:	
Respondent	:	

STIPULATED ORDER

The Board, meeting at its offices in Concord, New Hampshire on December 10, 1998, took the following actions:

1. It reviewed the unfair labor practice (ULP) complaint first filed by the Union on October 14, 1998 and the answer filed by the Town on November 9, 1998 as well as the Town's Motion to Dismiss filed in requisite copies on December 10, 1998.
2. It convened for purposes of hearing the parties' respective positions on the complaint and answer, but, before doing so, recessed so that the parties might engage in settlement negotiations.
3. The PELRB reconvened at the conclusion of the foregoing recess and received the following stipulation from the parties:
 - a) The Union will meet with the Town Manager within three days (3) to develop a principled policy governing use of town vehicles by the Public Works Manager, Superintendent of Water and Sewer and Deputy Police Chief.
 - b) Once the agreement is reached between the Town Manager and the Union, the Town Manager will meet with the Board of Selectmen within three

days and will recommend the agreement. The Town Manager will also recommend to the Selectmen reinstatement of vehicle use for the three aforementioned employees pending resolution of this issue. The Board of Selectmen shall have full authority and discretion to accept or decline to accept the recommendation.

- c) The Board will either adopt, reject, or modify the policy reflected in the recommended agreement within 3 days. If the Board modifies the agreement, the Town Manager and Union will meet and the Union will have three days to accept the modified policy.
- d) If the Board rejects the policy or the parties are otherwise unable to agree, the Town Manager and the Union shall continue to meet to explore resolution of the issue until the arbitration of Case No. M-0592:5 is held.
- e) Both parties have agreed to proceed in this fashion without prejudice to any claims and arguments presented to the PELRB. The Unfair Labor Practice will be held in abeyance until 30 days following the award of the Arbitrator in the scheduled arbitration. Either party may reinstate the Unfair Labor Practice proceeding within 30 days of the award of the arbitrator in that matter. If no request for further proceedings is filed on or before the 30th day following the award of the arbitrator, this matter shall be dismissed from the PELRB's docket of cases.

4. The PELRB adopts the foregoing for its order in this case.

So ordered.

Signed this 17th day of December, 1998.



JACK BUCKLEY
Alternate Chairman

By unanimous decision. Alternate Chairman Jack Buckley presiding. Members Seymour Osman and E. Vincent Hall present and voting.