



State of New Hampshire
Public Employee Labor Relations Board

AFSCME Council 93

and

Town of Hampstead

Case No. G-0298-1

Decision No. 2022-015

Supplemental Order

This order supplements prior Decisions 2022-004 and 2022-014. On January 25, 2022, the undersigned held a status conference with Attorney Phillips, counsel for the Town, and Attorney Van Campen, counsel for the Union. There was discussion about whether the pending stipulation can include the 2021 work history of per diem firefighters in addition to Genthner. The Union argues this work history is relevant as the Union expects it will show that at least one, and perhaps more, of the other per diem firefighters are no longer “persons employed irregularly” per RSA 273-A:1, IX (d),¹ and therefore the ten employee minimum is still satisfied, even if the board does not count Genthner. As reviewed during the status conference, the stipulation should include the 2021 work history of per diem firefighters in addition to Genthner, as it was not my intent to exclude such information in prior Decision 2022-004. This will ensure that the record is complete as to the ten employee requirement, which in turn will determine whether or not a certification² can issue.

¹ See discussion of “persons employed irregularly” in the board’s earlier order in this case, Decision 2021-150 (September 8, 2021).

² Certification of Representative and Order to Negotiate.

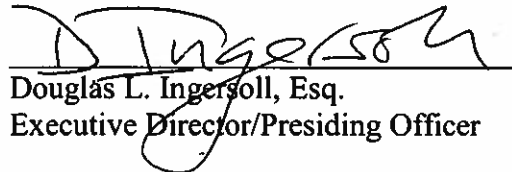
The parties shall prepare the stipulation on this basis and, as discussed during the status conference, include Joint Exhibit 1 and 2.³ Joint Exhibit 1 shall consist of the 2021 version of Appendix One to Decision 2021-150. Joint Exhibit 2 shall consist of the 2021 version of Town Ex. H.

The stipulation and Joint Exhibits shall be filed on or before **February 4, 2022**. Briefs addressing whether the stipulation and Joint Exhibits demonstrate that the ten employee minimum is satisfied shall be filed on or before **February 11, 2022**⁴.

So ordered.

Date:

1/25/2022


Douglas L. Ingersoll, Esq.
Executive Director/Presiding Officer

Distribution: Sean Cronin, Esq.
Robert J. Van Campen, Esq.
Peter C. Phillips, Esq.

³ Or use the next two numbers if Joint Exhibits have previously been submitted into the record.

⁴ These filing deadlines were proposed by the parties during the status conference.