



State of New Hampshire
Public Employee Labor Relations Board

Teamsters Local 633

v.

Town of Bedford

Case No. G-0327-1

Decision No. 2023-296

Pre-Hearing Memorandum and Order

Date of Conference: November 27, 2023

Appearances: Mark Clifford, for the Complainant

Nicholas J. Blei, Esq., for the Respondent

Background:

On October 26, 2023, the Teamsters Local 633 (Union) filed an unfair labor practice complaint under the Public Employee Labor Relations Act against the Town of Bedford claiming that it violated RSA 273-A:5, I (e) ("To refuse to negotiate in good faith with the exclusive representative of a bargaining unit ...") and (h) ("To breach a collective bargaining agreement") when it unilaterally installed cameras on Department of Public Works (DPW) equipment without prior notice or negotiations. The Union claims that the decision to install the cameras is a mandatory subject of bargaining and requests that the PELRB order the Town to negotiate the decision and the impact of installing the cameras.

The Town denies the charges and asserts that the decision to install the cameras on DPW equipment is a permissive, and not mandatory, subject of bargaining under *Derry Police Patrolman's Association, NEPBA Local 38 v. Town of Derry*, PELRB Decision No. 2011-278

(November 8, 2011). The Town also claims that it has satisfied its statutory obligation by offering to bargain the impact of its decision to use cameras and that the Union failed to respond to the Town's offer. The Town filed a motion to dismiss the complaint.

Issues for Determination by the Board


Whether the Town violated of RSA 273-A:5, I (e) and/or (h) as charged by the Union.

Decision

1. "Parties" means the Union, the Town or their counsel/representative appearing in the case. The parties shall simultaneously copy each other electronically on all filings submitted in these proceedings.
2. At the pre-hearing conference, the parties indicated their willingness to negotiate the resolution of issues in this case and requested continuance of proceedings. The parties' request is granted. Accordingly, the December 8, 2023 hearing is cancelled and all pending deadlines are suspended. On or before **February 29, 2024**, the parties shall file a Status Report and shall promptly inform the PELRB of any resolution of this case in the interim.

So ordered.

Date: 11/27/2023



Karina A. Lange, Esq.
Staff Counsel/Hearing Officer

Distribution: Mark Clifford, Teamsters Local 633 Field Representative
Nicholas J. Blei, Esq.
Anna B. Cole, Esq.