

**Teamsters Local 633 of New Hampshire (Pittsfield Police Department) v. Town of Pittsfield,**  
Decision No 2012-219 (Case No. G-0193-1).

**Background:** The Union claimed that the Town committed unfair labor practices in violation of RSA 273-A:5, I (h) when the Board of Selectmen improperly issued a directive which terminated Article 16 of the collective bargaining agreement (CBA) entitled “Private Detail.” The Town denied the charges and claimed that the Union was not entitled to maintain the complaint given certain “no grievance” language contained in the parties’ CBA. The Town asserted that its actions were otherwise consistent with its contractual obligations and management rights and were required because of certain provisions of municipal budget law set forth in RSA 32:1 *et. seq.*

**Decision:** The Hearing Officer held that the CBA “no grievance” language did not constitute a waiver of the Union’s right to file an unfair labor practice complaint; and that the Town’s conduct constituted an unfair labor practice because the continued availability of private detail work to unit employees was a term and condition of employment which cannot be unilaterally changed by Board of Selectmen action. The Town was ordered to allow unit employees to continue to work private details, to make bargaining unit employees whole, and to address all changes to the CBA private detail provision through the bargaining process.

***Disclaimer: This summary is intended to provide a brief description of the issues in this case and the outcome. The summary is not a substitute for the decision, should not be relied upon in place of the decision, and should not be cited as controlling or relevant authority in PELRB proceedings or other proceedings.***