

**Concord Fire Fighters Association, IAFF Local 1045 v. City of Concord**, Decision No. 2012-252 (Case No. G-0164-3).

**Background:** The Union complained that the City violated RSA 273-A:5, I (a), (e), (g) & (i) and RSA 273-A:3 when it unilaterally implemented a mandatory requirement that firefighter paramedics obtain and maintain a Rapid Sequence Intubation (RSI) certification. The Union asserted that the RSI requirement was a mandatory subject of bargaining; that the City's actions constituted a unilateral change in terms and conditions of employment; and that the City improperly refused to bargain the change and/or its impact. The City denied the charges and claimed that it required firefighters to have and maintain RSI certification for a number of years prior to 2011 and that its actions represented a legitimate exercise of management rights.

**Decision:** The PELRB dismissed the claims that the City violated RSA 273-A:5, I (a) & (g) holding that the City's managerial rights include the right to mandate the RSI certification for Firefighter/Paramedics because the nature and extent of the emergency medical services the City provides to its residents was a matter of broad managerial policy and that, therefore, the City was not obligated to bargain that decision. However, the mandatory requirement impacted the working conditions of the bargaining unit employee and the City was obligated to bargain with the Union over the impact of the change. The PELRB ordered the City to bargain with the Union regarding the impact of the mandatory RSI certification requirement and to refrain from making any changes or taking any adverse actions based on employees' RSI certification status, pending the completion of the negotiations.

***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.***