

AFSCME Council 93, Local 534, AFL-CIO and Town of Moultonborough, Decision No. 2018-172 (Case No. G-0270-1).

Background: Union filed a petition seeking to represent the following public works employees: Landfill Attendants, Landfill Supervisor, Equipment Operators, Mechanic, Highway Office Clerk, and Highway Foreman. The Town objected, claiming that after employees are excluded as supervisors or confidential employees there are less than the requisite of ten employees, and the petition should be dismissed.

Decision: The landfill supervisor and the highway foreman were found to be supervisory employees within the meaning of RSA 273-A:8, II and were, therefore, excluded. The highway office clerk was not a confidential employee within the meaning of RSA 273-A:1, IX, had a sufficient community of interest with other employees in the proposed bargaining unit, and was included in the bargaining unit. The unit was approved and the case proceeded to a representation election.

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.