

AFSCME Council 93, Local 1801, AFL-CIO and Derry Cooperative School District,
Decision No. 2019-043 (Case No. E-0230-1).

Background: The union petitioned to form a new bargaining unit consisting of district custodians and custodial team leaders/shift supervisors working at six different schools. The District objected to the proposed unit on the grounds that the employees in the proposed unit lacked a community of interest and that the team leader/shift supervisor position was supervisory within the meaning of RSA 273-A:8 and should, therefore, be excluded from the unit.

Decision: The hearing officer concluded that the employees in the proposed unit had a sufficient community of interest and that team leaders/shift supervisors were not “[p]ersons exercising supervisory authority involving the significant exercise of discretion” based upon an assessment of their authority to evaluate other custodians, their supervisory role, and their disciplinary authority. The unit was approved and proceeded to 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.