

New England Police Benevolent Association v. Hillsborough County (County Attorney's Office), Decision No. 2020-161 (Case No. G-0278-3).

Background: The Union claimed that the County violated RSA 273-A:5, I (a), (g), (h), & (i) when it unilaterally ended a Covid-19-related work-at-home or "tele-work" agreement (TWA) without negotiation with the Union over the working conditions at the County Attorney's Office, including such conditions as safe workplace distancing, bathroom facilities, lunchroom, cleaning supplies, masks and hand sanitizer, records of janitorial services, and building entry procedures for employees and visitors. The union also requested an immediate cease and desist order. The County denied the charges and claimed that the termination of "work at home" arrangement was in accordance with the parties' TWA agreement which provided that the agreement "may be revoked at the sole discretion of the County."

Decision: The Union's request for a cease and desist order was denied because under the circumstances of this case and given the TWA's specific duration and termination language, there was no legal basis upon which the board, under the provisions of RSA 273-A:6, III or Pub 201.05, could limit or interfere with the County's exercise of its agreed authority to terminate the TWA.

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.