

AFSCME Council 93 and Town of Hampstead, Decision No. 2021-090 (Case No. G-0298-1).

Background: The Union filed a petition for certification seeking to represent certain Town of Hampstead Fire Department employees. The Town objected on several grounds, including the following: part-time per diem Firefighters were irregular and on-call employees within the meaning RSA 273-A:1, IX (d) and without part-time per diem Firefighters, the proposed unit would not satisfy a 10-employee minimum requirement under RSA 273-A:8, I.

Decision: The majority of the per diem Firefighters in the proposed bargaining unit were irregular employees within the meaning of RSA 273-A:1, IX (d) and were, therefore, excluded from the bargaining unit. After the exclusion of the per diem employees, the proposed bargaining unit contained fewer than 10 employees and, therefore, did not satisfy the statutory 10-employee minimum requirement. The Union's petition was dismissed.

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.