

**Teamsters Local 633 v. Northwood Fire Department**, Decision No. 2023-256 (Case No. G-0320-1)

**Background:** The Union claimed that the Town had violated RSA 273-A:5, I (a), (b), and (c) when it retaliated against a fire captain and a firefighter for their union organizing activity. The Union alleged that the day after the fire captain informed the Town of the intent to organize employees of the Fire Department, the Chief started questioning the validity of one of the firefighter's certifications and placed that firefighter on leave until he could produce proof of his Firefighter I & II certifications. The Union also alleged that the Town retaliated against the captain when it revoked his scheduling responsibilities. The Town denied the charges claiming that placement of the firefighter on administrative leave was based on his inability to produce a valid Firefighter I and/or II certification or an official transcript and not on his union activity. The Town also claimed that the captain's scheduling privileges were revoked because he violated policy by scheduling the firefighter for calls/shifts after he had been placed on administrative leave and without the Chief's knowledge or approval.

**Decision:** The hearing officer found that the evidence was insufficient to prove that the firefighter was engaged in organizing or that the Town had retaliated against him in violation of RSA 273-A:5, I. On balance, the evidence showed that the Town's treatment of the firefighter was because of his inability to produce missing certifications/transcripts, and not for other reasons. Also, although the captain was actively engaged in union organizing activity, the evidence was insufficient to prove that the Town retaliated against him in violation of RSA 273-A:5, I. The complaint 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.***