

Raymond Porelle, Jr. v. New England Police Benevolent Association, Inc., Decision No. 2010-206 (Case No. G-0142-1).

A former employee of the City filed an unfair labor practice complaint claiming that the Union failed to fulfill its obligation and duty to represent him in an arbitration matter with the City. The Union denied the charges and claimed that it acted in accordance with its duty of fair representation and that the complaint was untimely and barred by a prior settlement agreement and by the former employee's failure to cooperate with the Union representatives.

The PELRB dismissed the complaint finding that the complaint was not filed within six month limitation period because the Union, for longer than a year, had been asserting the right to exercise control over the grievance arbitration and was unwilling to go forward with many of the claims and issues that the employee wanted to present in the grievance arbitration. The PELRB also found that even if the complaint was timely, there was insufficient evidence to establish that the Union had not satisfied and discharged its representation obligations.

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.