

ALINE C. DUPONT

v.

MAINE LABOR RELATIONS BOARD et al.

Submitted on Briefs July 17, 2013

Decided July 23, 2013

Panel: LEVY, SILVER, MEAD, GORMAN, and JABAR, JJ.

MEMORANDUM OF DECISION

Aline C. Dupont appeals from a judgment of the Superior Court (Kennebec County, *Murphy, J.*) affirming the Maine Labor Relations Board's decision that the Maine State Employees Association, Service Employees International Union Local 1989, did not breach its duty of fair representation. The Board did not abuse its discretion by determining that the Union rationally considered Dupont's health condition and the use of a recording of a traffic stop. *Langley v. Me. State Emp. Ass'n*, 2002 ME 32, ¶ 9, 791 A.2d 100 (noting that a union breaches its duty of fair representation when it acts irrationally); *Minot Sch. Comm. v. Minot Educ. Ass'n*, 1998 ME 211, ¶ 6, 717 A.2d 372 (reviewing a board's decision for an abuse of discretion). Additionally, the Board did not abuse its discretion by finding that the transcript from Dupont's Unemployment Insurance Commission's hearing is irrelevant to this case. 26 M.R.S. § 1290(1) (2012) (allowing the Board to consider evidence it deems relevant).

The entry is:

Judgment affirmed.

On the briefs:

Aline C. Dupont, pro se appellant

Anne F. Macri, Esq., Maine State Employees Association, Augusta, for
appellee Maine State Employees Association

Lisa Copenhaver, Esq., Maine Labor Relations Board, Augusta, for appellee
Maine Labor Relations Board

Kennebec County Superior Court docket number AP 12-13
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