



STATE OF NEW HAMPSHIRE

PUBLIC EMPLOYEE LABOR RELATIONS BOARD

STATE OF NEW HAMPSHIRE

Complainant

v.

STATE EMPLOYEES' ASSOCIATION OF  
NEW HAMPSHIRE, INC., its officers,  
agents and employees, including but  
not limited to all members of its  
governing body; the S.E.A. Council,  
all individual S.E.A. Chapter Officers,  
and all other state employees who are  
members of said Association

Respondents

CASE NO. M-0542

DECISION NO. 81-17

TEMPORARY ORDER

The Public Employee Labor Relations Board of the State of New Hampshire has received evidence in the above-captioned matter presented by the State of New Hampshire concerning a "sick-out" being engaged in by the State Employees' Association. As a result of the evidence, the Board finds the following:

1. The State Employees' Association has publicly announced and is publicly undertaking a "sick-out" by urging state employees to call in sick and not report to work which constitutes a "strike and other form of job action" in violation of RSA 273-A:13. Regardless of the reasons for said action or actions by any party, this action is illegal.

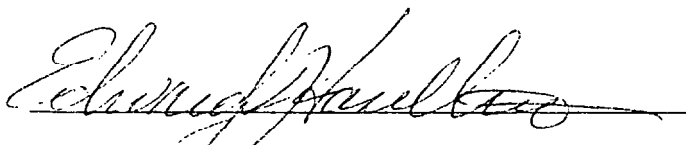
2. The action complained of by the State and found illegal by the Board is against the public interest, creates an emergency situation which at least in some portions of its application endangers the health and welfare of the State and in all cases openly violates the clear command of the law, RSA 273-A: 5, II (e) and RSA 273-A:13.

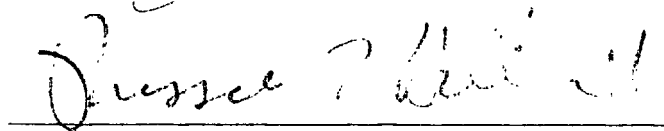
3. The circumstances presented by this case require in the public interest a cease and desist order pending full hearing by this Board.

ORDER

A. Having found an illegal concerted job action is underway by the State Employees Association and the named respondents and having found that this job action is illegal and violates the public interest, the Public Employee Labor Relations Board hereby orders that all respondents and all state employees cease and desist any activity which plans, encourages, implements, carries out, or follows the "sick-out" and further orders that all employees who have failed to report to work cease and desist said activity and return to their normal activities and employment at once.

B. This order is effective upon signing, and until further order of the Board.

  
EDWARD J. HASELTINE, Chairman

  
RUSSELL F. HILLIARD, Labor Representative

  
DAVID L. MAYHEW, Management Representative

  
SEYMOUR OSMAN, Management Representative

By unanimous vote. Chairman Edward J. Haseltine presiding. Members Hilliard, Mayhew and Osman present and voting. Also present, Bradford E. Cook, Esq., Counsel and Evelyn C. LeBrun, Executive Director

Signed this 23rd day of June, 1981

Time: 8:15 p.m.