

## **2008 SYNOPSIS**

### **State Employees Association of NH, SEIU Local 1984 v. State of New Hampshire PELRB Case No. S-0428-6**

The union filed an unfair labor practice complaint alleging that the state breached the parties' collective bargaining agreement in violation of RSA 273-A:5, I (h) by improperly limiting health fund reimbursements, requiring an expense threshold to receive reimbursement, and by refusing to extend reimbursement benefit to same sex domestic partners. The state denied the charge claiming that the union was seeking payment for expenses that were not "out-of-pocket" costs associated with health care services, that the threshold was required by the third party administrator of the plan and that the state properly refused to allow domestic partners to participate in the benefit in order to avoid reporting the reimbursement as employee income regardless of whether the fund was expended.

The PELRB ordered the state to implement procedures to make the benefit available to domestic partners but denied the union's remaining claims finding that other limitations on reimbursements were proper.

*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.*