

## **2009 SYNOPSIS**

**NEPBA Local 255/NH Supervisory Corrections Officers, IUPA, AFL-CIO and State of New Hampshire Department of Corrections & NEPBA Local 250/NH Corrections Officers, IUPA, AFL-CIO and State of New Hampshire, Department of Corrections, Case No's. S-0438-1 and S-0437-1**

The PELRB granted NEPBA's modification petitions over the incumbent union's (SEA) objections finding that unsigned collective bargaining agreement between the SEA and the public employer did not bar the NEPBA's petitions. The SEA appealed. The Supreme Court reversed and remanded the cases for further proceedings. See *Appeal of State Employees' Association of New Hampshire, Inc., SEIU, Local 1984*, 158 N.H. 258; 965 A.2d 1103 (2009)

On remand, the PELRB dismissed the NEPBA's underlying modification petitions, set aside the election results, and vacated previously issued certification orders. The PELRB ordered the affected employees to revert to the bargaining unit status and representation which were in place prior to the filing of the dismissed NEPBA's petitions.

*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.*