

**New England Police Benevolent Association, Inc., Local 260 and State of NH, Liquor Commission – Bureau of Enforcement and Licensing and State Employees Association of NH, Inc., SEIU Local 1984**, Decision No. 2008-268 (Case No. S-0440-1)

**Background:** The NEPBA filed a modification petition seeking to modify an existing bargaining unit represented by the SEA to create a new bargaining unit. The state did not object. The SEA initially agreed to modification and requested to be placed on the election ballot. The PELRB granted the petition and issued an order of election.

**Decision:** After the PELRB scheduled a pre-election conference, the SEA objected to the conduct of the election claiming that, although the NEPBA's modification petition was timely filed and granted by the PELRB, the election would be conducted beyond the time period allowed under RSA 273-A:11, I (b). The PELRB sustained the SEA's objection in accordance with the Supreme Court's decision in *Appeal of State Employees' Association*, 156 N.H. 507 (2007), and dismissed the NEPBA's petition without prejudice.

***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.***