

New Hampshire Troopers Association/Trooper Brian Doyle v. State of NH Department of Safety, Division of State Police and New Hampshire Troopers Association/Trooper Christopher St. Cyr v. State of NH Department of Safety, Division of State Police, Decision No. 2009-068 (Case No. P-0754-21 and Case No. P-0754-22)

Background: In these consolidated cases, the union filed unfair labor practice complaints against the state claiming that the state breached a collective bargaining agreement (CBA) by criticizing certain troopers' use of sick leave and entering the criticism into the troopers' annual evaluations and other personnel documentation. The state denied the charges and asserted that the PELRB had no jurisdiction because the requirements for performance evaluations are dictated by the Division of Personnel rules and not by the parties' CBA.

Decision: The PELRB found that it had jurisdiction over the case, that the troopers used sick leave in accordance with the CBA, and that the state improperly inserted negative documentation in the troopers' personnel files in violation of the CBA. The PELRB ordered the state to remove all such references from the troopers' personnel files and cease and desist from administering the pertinent articles of the CBA in a manner inconsistent with the PELRB's decision.

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.