

Merrimack County Department of Corrections Supervisors v. Merrimack County Department of Corrections and State Employees' Association of New Hampshire, Inc., Local 1984, SEIU, Decision No. 2009-201 (Case No. S-0327-51).

Background: Certain employees of the county department of corrections filed a modification petition seeking to remove certain positions from the existing bargaining unit on the ground that the positions were supervisory. The union objected to the petition claiming that the petitioners lacked standing to modify the existing bargaining unit, that the petition was untimely, that the modification was barred by the doctrine of laches, and that the petitioners failed to demonstrate the requisite change in circumstances.

Decision: The PELRB dismissed the petition finding that the petitioners were neither the public employer nor the “employee organization” and, therefore, under Pub 302.05 (d), lacked standing to file a petition for modification of the existing bargaining unit.

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.