

NEPBA, Inc., Local 270 (Probation and Parole Officer Supervisors Unit); Local 265 (Probation and Parole Officer Unit); Local 255 (Supervisory Corrections Officer Unit); Local 250 Corrections Officer Unit); Local 260 (Liquor Investigators & Sergeants Unit) v. State of New Hampshire, Department of Corrections and State Employees Association of NH, Inc., SEIU Local 1984, Decision No. 2009-216 (Cases Nos. G-0106-1, G-0107-1, G-0108-1, G-0109-1, G-0110-1).

Background: The NEPBA filed the certification and modification petitions seeking to create five new bargaining units comprised of positions in the Department of Corrections and the Liquor Commission and to obtain an election to determine representation of employees in the proposed bargaining units. All of the involved positions were in bargaining units represented by the SEA. The SEA objected to any election proceedings claiming that a collective bargaining agreement was in place at the time the petitions were filed and that, accordingly, the petitions should be dismissed.

Decision: The PELRB found that the petitions were filed after the expiration of the most recent collective bargaining agreement between the SEA and the State and that, therefore, the SEA's objection that the NEPBA election petitions are barred by RSA 273-A:11 (b) was without merit. The PELRB also rejected the SEA's argument that the proliferation of bargaining units would create inefficiency in government operations. The PELRB ordered the issuance of the Order of Election.

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.