

State Employees' Association of NH, SEIU Local 1984 v. State of New Hampshire, Department of Health & Human Services, Decision No. 2015-168 (G-0148-3).

Background: The Union filed an unfair labor practice complaint claiming that the State violated RSA 273-A:5, I (a), (b), (c), (d), (g), and (h) “by taking certain discriminatory actions against bargaining unit employees in retaliation for their union activity and for the purpose of discouraging such activity.” The State denied the charges and asserted, among other things, that the Union’s claims were untimely and moot; that the PELRB lacked jurisdiction over some claims because they were within the jurisdiction of the Personnel Appeals Board or the contractual grievance procedure; and that the doctrine of res judicata barred some of the claims.

Decision: The PELRB found that the State committed an unfair labor practice in violation of RSA 273-A:5, I (a) and (b) when a manager used her position and authority to pressure a bargaining unit employee to change her decision to serve as a Union Chapter president. However, there was insufficient evidence to prove that the State violated any provision of RSA 273-A:5, I with respect to other incidents alleged in the complaint and those claims were dismissed. The State was ordered to post this decision in a conspicuous place where unit employees work for 60 days and otherwise cease and desist from interfering with and becoming involved in Local Chapter business and the participation of unit employees in Local Chapter affairs.

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.