

**Keene State College Administrative Staff Association, NEA-NH and Keene State College,**  
Decision No. 2016-097 (Case No. E-0189-1).

**Background:** The Union filed a petition for certification seeking to represent certain College administrative/operating staff employees. The College objected to the inclusion of the Senior Program Support Assistant to the Vice President for Student Affairs/the Dean of Students in the bargaining unit on the ground that this employee was confidential within the meaning of RSA 273-A:1, IX (c).

**Decision:** The subject employee was excluded from the bargaining unit as a confidential employee based on the finding that, among other things, the employee had unrestricted access to all documentation utilized or prepared by the Dean of Students, including employee performance evaluations, disciplinary letters, and any other material placed into employee investigatory/office files; received and screens all phone calls, emails, and mail, including letters marked “confidential”; had the only key to the locked cabinet in which the personnel-related office files were kept; and was privy to all aspects of the operation of the Dean’s office, including processing of complaints against College faculty and staff.

*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.*