

State Employees' Association of NH, SEIU Local 1984 v. State of New Hampshire, Department of Health & Human Services, Decision No. 2016-172 (Case No. G-0148-5).

Background: The Union filed an unfair labor practice complaint claiming that the State violated RSA 273-A:5, I (e), (h), & (i) when it posted teaching positions without salary enhancements. The Union claimed that the omission of salary enhancements violated PELRB Decision No. 2014-184. The State denied the charges and moved to dismiss arguing that the complaint was untimely, that salary enhancements for new hires were governed by RSA 99:8; and that the provision of salary enhancements to new hires had not been justified under RSA 99:8 since July 1, 2002, when the State reached full compliance with the James O. consent decree.

Decision: The State's motion to dismiss was denied because the Union's complaint was filed within six months of the disputed job postings. The Union's complaint was dismissed on the ground that the State had not actually hired any new employees without providing the salary enhancement.

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.