

**New Hampshire Higher Education Union and Community College System of New Hampshire and State Employees' Association of New Hampshire, SEIU Local 1984, Decision No. 2017-015 (Case No. E-0165-3).**

**Background:** The NHHEU filed a challenge petition requesting an election to determine the exclusive representative of the existing bargaining unit comprised of certain employees of the Community College System of New Hampshire (CCSNH) represented by the SEA. The SEA objected to the petition on the ground that the petition and a representation election were barred by the “contract bar” under RSA 273-A:10 and RSA 273-A:11 because the collective bargaining agreement (CBA) between the CCSNH and the SEA contained an extension clause.

**Decision:** The SEA’s objection was overruled on the ground that, for the purposes of RSA 273-A:11 (b) “contract bar” application, a contract expires on stated expiration date and the existence of an extension clause does not mean that the PELRB cannot, as argued by the SEA, conduct a secret ballot election to resolve a question of representation of the existing bargaining unit; and in this case, the challenge election petition was filed more than a year after the expiration of the CBA. The NHHEU’s request for a secret ballot election was granted.

***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.***