

INFORMATION SHEET:

Petitions for Appointment of a Fact Finder

The use of fact finders in public sector collective bargaining process is authorized and required pursuant to RSA 273-A:12 and N.H. Admin. Rule Pub 305. The PELRB maintains and administers a list of neutrals available for employment by the parties as fact finders, and a party to the collective bargaining process may request the appointment of a fact finder by completing and filing the Petition for Appointment of Fact Finder Form with the PELRB. The following steps and procedures apply:

1. The Petition for Appointment of Fact Finder form must be completed and signed by the chief negotiator for the filing party. It must also be signed by the responsible officer/chief negotiator for the other party if the parties agree on the statement of unresolved issues. Incomplete forms will be returned to the filing party.
2. Upon receipt of the completed form the PELRB will provide both parties with the names and CV information of the next five neutrals on its randomly organized list of individuals available for service as fact finders.
3. Within ten days the parties must return their respective rankings of the names on the list (1-5, 1 being most preferred and 5 being least preferred) to the PELRB. Each party may strike up to two names from the list provided. *Do not provide a copy of your rankings to the other party.*
4. The PELRB will combine the parties' respective rankings of the neutrals and will select the neutral with the lowest combined ranking. In the event two neutrals share the lowest combined ranking the PELRB will choose one at random.
5. Alternatively, the parties may mutually agree upon one of the neutrals listed or a different neutral, in which event they should jointly report their choice to the PELRB.
6. Unless the Petition for Appointment is withdrawn, the PELRB will proceed with the appointment of a fact finder even if one of the parties fails to complete and return the rankings referenced in paragraph 3 of this information sheet. In this circumstance the PELRB will appoint the next neutral on the randomly organized list of neutrals available for service as fact finders.
7. The PELRB requests that each party complete and return an evaluation of the neutral's service at the conclusion of the fact finding process.