



**State of New Hampshire**  
PUBLIC EMPLOYEE LABOR RELATIONS BOARD

**IN THE MATTER OF**

**CASE NO. G-0057-2**

**PROFESSIONAL, ADMINISTRATIVE AND  
TECHNICAL EMPLOYEES OF DERRY,  
SEA OF NH, INC., SEIU LOCAL 1984**

**DECISION NO. 2009-058**

**ORDER GRANTING NEW AFFILIATION**

**Background**

On February 26, 2009 an agreed upon modification petition was filed in this matter. The petition was signed by Christopher Long for the public employees, and identifies the SEA of NH, Inc., SEIU Local 1984 ("SEA") as the exclusive representative. The PELRB did not detect that the certified exclusive representative for the involved bargaining unit is in fact the Professional, Administrative and Technical Employees of Derry ("P.A.T.E.") until after the issuance of Decision 2009-042. Upon the PELRB's request, Mr. Long arranged for the filing of documentation concerning the SEA's status with respect to the P.A.T.E. bargaining unit in the form of an affidavit from Vernon L. Thomas, a Captain in the Derry police department. Captain Thomas is a current member of the P.A.T.E. bargaining unit and before his promotion to Captain was a member of the Derry Police Supervisors bargaining unit. The PELRB certified the SEA as

the exclusive representative of the Derry Police Supervisors bargaining unit on May 21, 1987 following the filing of a petition for certification and certification election.

#### Decision

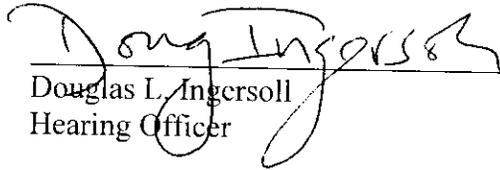
Based upon Captain Thomas' affidavit, the PELRB finds as follows:

1. As of February 26, 2009, the date the modification petition was filed, P.A.T.E. was the certified exclusive representative of the bargaining unit and there had been no filings with the PELRB reflecting an affiliation with the SEA within the meaning of Pub 301.04.
2. In 1994 members of the P.A.T.E. bargaining unit in effect voted to affiliate with the SEA within the meaning of Pub 301.04. Although the Captain Thomas affidavit does not document strict compliance with the requirements of Pub 301.04, it does reflect that since 1994 the SEA has acted on behalf of the P.A.T.E. bargaining unit in collective bargaining, grievances, and arbitrations as described in the Captain Thomas affidavit.
3. The PELRB has not received any objection to the affiliation of the P.A.T.E. with the SEA.
4. It is ordered that the new affiliation is granted and shall be treated as effective for purposes of PELRB records at least as of February 26, 2009. The certified representative shall now be referred to as Professional, Administrative and Technical Employees of Derry, SEA of NH, Inc., SEIU Local 1984. Should the employees in the bargaining unit wish to replace the current certified exclusive representative, P.A.T.E., with the SEA of NH, Inc., SEIU Local 1984 they should file a certification petition seeking an election under Pub 301.03 (c) and 301.01.
5. The PELRB shall issue an amended certification of representative to reflect the P.A.T.E.'s affiliation with the SEA.

6. The P.A.T.E. shall provide copies of this order to all employees in the P.A.T.E. bargaining unit.

So ordered.

March 20, 2009.

  
Douglas L. Ingersoll  
Hearing Officer

Distribution:

Christopher Long, Field Representative SEA, NH  
Gary Stenhouse, Town Administrator