



STATE OF NEW HAMPSHIRE
PUBLIC EMPLOYEE LABOR RELATIONS BOARD

National Correctional Employees Union

and

State Employees Association of New Hampshire, Inc., SEIU Local 1984

and

Merrimack County

Case No. G-0149-1

Decision No. 2010-197

Order on County's Motion Contesting Proper Filing of Petition for Certification

The County has filed a motion complaining that it was served with an unsigned and incomplete version of the pending petition and requests that the PELRB should issue a new Notice of Filing. The motion is denied. The signed version of the petition is the same as the unsigned version with one minor and inconsequential difference, namely the completion of section 7 indicating the employer does not agree with composition of the bargaining unit and the signature. However, section 7 of the petition is inapplicable in this case, because the PELRB is processing the NCEU's petition as a challenge petition in which the NCEU seeks a secret ballot election to resolve a question of representation of the existing bargaining unit. Section 7 of the dual purpose petition for certification form is only applicable to petitions seeking the formation of a new bargaining unit, or when a modification petition is filed in conjunction with the challenge petition. The NCEU has not filed a petition to form a new bargaining unit or a petition to modify the composition of the existing bargaining unit.

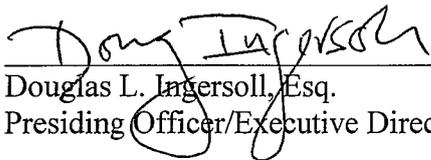
The parties shall proceed as follows:

1. The County shall promptly file the employee list as referenced in the PELRB's Notice of Filing sent to the County on October 19, 2010; and

2. Exceptions, objections, and petitions to intervene shall be filed on or before November 3, 2010 pursuant to the Notice of Filing. These dates were previously confirmed to Warren Atlas, the County's representative, by PELRB email on October 22, 2010. The County has not demonstrated any need or justification for an extension of this deadline.

So ordered.

October 26, 2010



Douglas L. Ingersoll, Esq.
Presiding Officer/Executive Director

Distribution:

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