



State of New Hampshire  
PUBLIC EMPLOYEE LABOR RELATIONS BOARD

*CONSOLIDATED CAPTION*

**National Correctional Employees Union**

**and**

**Strafford County**

**Case No. G-0218-1 (Certification) and G-0136-5 (Modification)**

---

**SEA, Local 1984, Strafford County Corrections Employees**

**and**

**Strafford County Commissioners**

**Case No. G-0136-6 (Modification) and G-0219-1 (Certification)**

**Decision No. 2014-177**

Order

In May and June, 2014 the National Correctional Employees Union (NCEU) and the SEA, Local 1984 (SEA) each filed a modification and election petition. By these filings both the NCEU and the SEA seek, in substance, to form and represent a new bargaining unit comprised of certain County Corrections employees who are now part of an existing County unit represented by the SEA. Both parties have reached agreement with the County on the positions

to be removed from the existing unit and the composition of the proposed new unit, which is as follows:

Unit: All full-time and part-time correctional officers, correctional corporals, and correctional licensed practical nurse.<sup>1</sup>

Exclusions: Riverside Rest home employees, maintenance, corrections program director<sup>2</sup>, records supervisor supervisory, management, probationary, and on call employees.

The SEA's objections to the NCEU petitions and any requests for dismissal of those filings are overruled and denied given the SEA modification and election petitions, which in substance seek the same modification and election as requested by the NCEU. Both the NCEU and the SEA election petitions are supported by the requisite number of confidential authorization cards, as reflected by the card reports issued in both cases. The fact that after the card report issued in the NCEU election case the SEA filed its own election petition which may have included authorization cards signed by employees who also signed cards in the NCEU certification case does not invalidate the NCEU election case card report. As per the NCEU card report, at the time the NCEU election petition was filed it was supported by at least 30% of the employees holding position in the proposed bargaining unit. To the extent there is a question of representation it will be addressed and resolved by a secret ballot election.

The petitions for modification and election are granted.<sup>3</sup> The existing County bargaining unit is modified to exclude the positions in the unit described above and the position of Corrections Program Director. The agreed upon composition of the proposed new Corrections bargaining unit is approved, and the PELRB will conduct a secret ballot election pursuant to

---

<sup>1</sup> The NCEU included the position of Corrections Registered Nurse in its modification and certification request but it appears this position is specific to the nursing home, and not the department of corrections. This will be addressed and clarified as necessary at the pre-election conference.

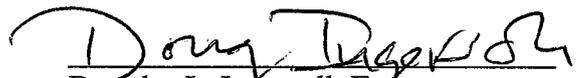
<sup>2</sup> The position of Corrections Program Director is to be excluded from the existing and proposed units.

<sup>3</sup> These four cases are also consolidated, and the parties shall use the consolidated caption in any future filings.

RSA 273-A:10, V to determine the exclusive representative of the approved unit, if any. Both the NCEU and the SEA will appear as choices on the ballot. An order of election will issue and a pre-election conference will be scheduled.

So ordered.

Date: 7-21-2014

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

Distribution:

Michael Nessinger, President, NCEU  
John S. Krupski, Esq.  
Ray Bower, County Administrator

