



**PUBLIC EMPLOYEE LABOR RELATIONS BOARD
STATE OF NEW HAMPSHIRE**

New Hampshire State Police Command Staff/New Hampshire Troopers Association

and

**State of New Hampshire, Department of Safety,
Division of State Police**

Case No. G-0222-1

Decision No. 2014-217

Order

On August 15, 2014 the New Hampshire State Police Command Staff/New Hampshire Troopers Association (Union) filed a petition for certification seeking to represent State Police command staff employees whom they also sought to remove from the existing bargaining unit(s) represented by the State Employees' Association of New Hampshire, SEIU Local 1984 (SEA). See PELRB Decision. 2014-216 (Modification Petition). The Union proposed the following State Police command staff bargaining unit:

Unit: Executive Major, Major, Captain, and Lieutenant.

Excluded: Sergeants, Troopers, Colonel, and all other Department of Safety employees.

The petition for certification was supported by the requisite number of confidential authorization cards as reflected in the September 12, 2014 PELRB Report re: Inspection of Confidential Authorization Cards.

The State objected to petition for certification on the ground that the Executive Major position included in the proposed unit is a supervisory and confidential position within the meaning of RSA 273-A:8, II and RSA 273-A:1, IX (c), respectively. The hearing on objection was scheduled for September 22, 2014.

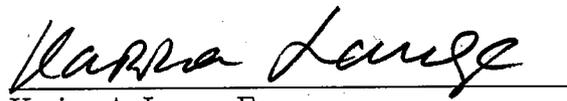
On September 11, 2014 the Union and the State attended an informal meeting at the PELRB offices in Concord. At the meeting, the parties jointly requested that the hearing on objection be postponed until after the election process is completed. The State indicated that it does not object to the removal of State Police command staff from the existing SEA unit but it does object to the inclusion of the Executive Major in the new command staff bargaining unit. The parties indicated that they will continue working on resolution of this dispute.

The parties' request to postpone the hearing on objection until after the completion of a secret ballot election is granted. The adjudicatory hearing currently scheduled for September 22, 2014 is cancelled. The proposed bargaining unit described above is approved without prejudice to the State's right to a hearing on its objection to the inclusion of the Executive Major position in the unit. The Executive Major shall be included on the list of eligible voters and allowed to vote subject to the "Challenges" procedure under Pub 303.08.

The PELRB will conduct a secret ballot election pursuant to RSA 273-A:10 to determine the exclusive representative of the approved unit, if any. The New Hampshire State Police Command Staff/New Hampshire Troopers Association and "No Representative" will appear as choices on the ballot. An Order for Election shall issue forthwith and a pre-election conference shall be scheduled pursuant to Pub 303.02.

So ordered.

September 12, 2014


Karina A. Lange, Esq.
Staff Counsel/Hearing Officer

Distribution: Gary Wood, Captain, State Police
Marta Modigliani, Esq.