



State of New Hampshire
Public Employee Labor Relations Board

Merrimack County Correctional Officers Union

and

Merrimack County Department of Corrections

and

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

Case No. G-0192-12
Decision No. 2021-082

Order

On April 23, 2021, the Merrimack County Correctional Officers Union (MCCOU) filed a Petition for Certification – Challenge to Existing Representative seeking to represent certain Merrimack County Department of Corrections employees in the following bargaining unit currently represented by the State Employees' Association of New Hampshire, Inc., SEIU Local 1984 (SEA):

Unit: Corrections Officer, Medical Services Coordinator, Corrections Nurse, Maintenance Engineer, Maintenance Worker II, Training Officer, and Group II Case Manager.

Excluded: Charge Nurse, Administrator, Director of Operations, Director of Safety and Security, Director of Inmate Work Program, Director of Rehabilitation, Secretary, Administrative Secretary, Lieutenants, Sergeants, and Corporals.

See PELRB Decision No. 2017-004 (January 12, 2017).

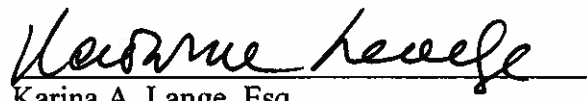
The petition was supported by the requisite number of confidential authorization cards as reflected in the April 23, 2021 PELRB Report re: Inspection of Confidential Authorization Cards. Pursuant to the PELRB April 23, 2021 Notice of Filing, exceptions, objections, and/or

petitions to intervene were due no later than May 10, 2021. On May 10, 2021, the SEA filed an answer/motion to intervene seeking, as the incumbent exclusive representative, to be included on any election ballot in case this matter proceeds to a representation election.¹ The SEA, as the incumbent representative shall be included as one of the choices on any election ballot in this case. No other objections, exceptions or petitions to intervene have been filed.

The MCCOU's request for an election to resolve the question of representation is granted. Accordingly, the PELRB will conduct a secret ballot election pursuant to RSA 273-A:10 to determine the exclusive representative of the existing bargaining unit, if any. "Merrimack County Correctional Officers Union," "State Employees' Association of New Hampshire, Inc., SEIU Local 1984," and "No Representative" will appear as choices on the ballot. An Order for Election shall issue and a pre-election conference shall be conducted in accordance with Admin. Rules, Pub 303.02.

So ordered.

Date: 5/11/2021


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

Distribution: J. Joseph McKittrick, Esq.
Ross Cunningham, Superintendent
Gary Snyder, Esq.

¹ Under Admin. Rules, Pub 301.02, petitions to intervene are generally filed by employee organizations "other than the petitioner and any incumbent exclusive representative." Here, the SEA is the incumbent exclusive representative and is, therefore, entitled to be included on the ballot, as of right.