

**National Correctional Employees Union v. Rockingham County Department of Corrections**, Decision No. 2018-106 (Case No. G-0140-8)

**Background:** The union claimed that the county had violated RSA 273-A:5, I (a), (b), (e), (g), (h), & (i) when it unilaterally, and contrary to the parties' collective bargaining agreement (CBA), implemented a new work schedule. The union also requested an immediate cease and desist order. The county denied the charges and claimed that: (1) it did not violate the CBA or change scheduled shifts; (2) it had properly exercised its management rights to change and implement a “days off rotation”; (3) the new “days off rotation” was more favorable to employees than the prior version; (4) the union failed to state a claim upon which relief may be granted and to exhaust all administrative remedies; and (5) the union’s claims were barred by the doctrines of estoppel, waiver, laches, and unclean hands.

**Decision:** County committed an unfair labor practice because it violated its obligation to bargain mandatory subjects of bargaining (work schedule changes) and violated the CBA Article 20.4. The county was ordered to return to the status quo, to refrain from implementing new schedule until the parties have agreed to any necessary changes in the terms and conditions of employment, and to post the decision in the workplace for 30 days.

***Disclaimer: This summary is intended to provide a brief description of the issues in this case and the outcome. The summary is not a substitute for the decision, should not be relied upon in place of the decision, and should not be cited as controlling or relevant authority in PELRB proceedings or other proceedings.***