

State Employees' Association of New Hampshire, Inc., SEIU Local 1984 and Rockingham County (Nursing Home), Decision No. 2019-171 (Case No. G-0280-1).

Background: The union filed a petition for election seeking to represent nursing home employees. The county objected to the inclusion of "per diem" employees and supervisory employees (LPNs, RNs, unit managers, and social worker III) in the proposed bargaining unit. The County also argued that nursing home employees lacked a community of interests and that Assisted Living facility employees had a community of interest with nursing home employees and, therefore, should be included in the unit.

Decision: The hearing officer found that "per diem" employees were part time public employees and not irregular or on call employees within the meaning of RSA 273-A:1, IX (d) and were, therefore, appropriately included in the bargaining unit. The RNs, LPNs, and social worker III were not supervisory employees within the meaning of RSA 273-A:8 and were included in the bargaining unit. The unit managers were found to be "supervisory employees" within the meaning of RSA 273-A:8 and were excluded from the bargaining unit. The employees in the proposed bargaining unit had a sufficient community of interest such that it was reasonable for them to negotiate jointly. The Assistant Living employees were not included in the bargaining unit as they did not have a community of interest with nursing home employees and did not petition to be included in the unit. The case proceeded to election.

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.