

**International Chemical Workers Union Council/UFCW v. Hillsborough County Nursing Home**, Decision No. 2021-017 (Case No. G-0292-2).

**Background:** The Union claimed that the County violated RSA 273-A:5, I (e)(refusal to negotiate in good faith) when it failed to give the Union notice and an opportunity to bargain over the elimination of family leave benefits provided by the Families First Coronavirus Response Act (FFCRA). The County denied the charges claiming that it was entitled to exclude nursing home health care providers under relevant provisions of the FFCRA. The County has also filed a motion to dismiss claiming that the County's action was within its authority under the FFCRA and the subject matter of the disputed decision is a prohibited subject of bargaining under *Appeal of State of New Hampshire*, 138 N.H. 716, 722 (1994).

**Decision:** The Board dismissed the complaint finding that the Union had both adequate notice and an opportunity to pursue negotiation over FFCRA leave benefits and the health care worker exemption during the course of bargaining over the 2020-22 CBA.

***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.***