

**New Hampshire Troopers Association v. New Hampshire Department of Safety**, Decision No. 2021-033 (Consolidated Cases Nos. G-0097-26 & G-0097-27).

Background: The Union filed two complaints claiming that the State violated RSA 273-A:5, I (a) & (h) when it breached the Sick Leave Bank Article of the collective bargaining agreement (CBA) by terminating the employment of two State Troopers for “non-disciplinary” reasons. Both Troopers had been on extended sick leave and at the time were receiving paid sick leave benefits pursuant to the CBA Sick Leave Bank Article. The State denied the charges and claimed that its decision to discharge the two Troopers was authorized by the CBA Management Prerogatives Article, which included the right to discharge employees, and by N.H. Admin. Rules, Per 1003, Removal for Non-Disciplinary Reasons. The State also claimed that the NHTA had not stated a claim under RSA 273-A:5, I (a).

Decision: The Board dismissed the consolidated complaints finding that the State did not breach the CBA Sick Leave Bank Article when it terminated the employment of the two State Troopers for non-disciplinary reasons and did not violate RSA 273-A:5, I (a) or (h).

*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.*