

State Employees' Association of New Hampshire, SEIU Local 1984 v. State of New Hampshire, Decision No. 2021-074 (Case No. G-0115-12).

Background: The Union claimed that the District violated RSA 273-A:5, I (a), (e), (g), & (i) when the Governor unilaterally provided wage increases and stipends to certain bargaining unit employees. The State denied the charges and claimed that the Governor's disputed actions were authorized under RSA 4:45, III (b) given the Governor's State of Emergency Declarations issued in response to the Covid-19 pandemic. The State also argued that the PELRB does not have jurisdiction to decide whether the Governor's actions were authorized or justified under the provisions of this law.

Decision: The Board dismissed the complaint on the ground that it cannot address the merits of the complaint without deciding whether the Governor's issuance of the emergency orders referenced in this decision was a proper exercise of the authority conferred upon him by RSA 4:45, III (b). The Board found that such a determination was beyond its jurisdiction.

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.