

State Employees' Association of New Hampshire, SEIU Local 1984 v. State of New Hampshire, Decision No. 2022-102 (Case No. G-0115-13).

Background: The Union claimed that the State violated its duty to bargain a mandatory subject of bargaining when, in lieu of negotiations, the State used RSA 99:8 and N.H. Admin. R. Per 904.01 procedures to provide temporary wage enhancements to certain bargaining unit employees. The Union asserted that the State's actions violated RSA 273-A:5, I (a), (b), (e), (g), and (h). The State denied the charges and claimed that it was entitled to proceed with the disputed wage enhancements pursuant to RSA 99:8, Increases for Recruitment Purposes, and that the interpretation of RSA 99:8 was beyond the scope of the PELRB jurisdiction. The State also argued that, under RSA 99:8, the disputed wage enhancements had been reserved to the exclusive managerial authority of the Governor and Executive Council and were a prohibited subject of bargaining pursuant to *Appeal of State*, 138 N.H. 716, 722 (1994).

Decision: Based upon the provisions of RSA 99:8 and the record for decision, the PELRB found that the State did not violate its duty to bargain wages or otherwise commit an unfair labor practice as charged and dismissed the complaint.

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.