

New Hampshire Public Employee Labor Relations Board

Agency Mission:

Established by legislation passed in 1975, the Public Employee Labor Relations Board is responsible for the administration of the laws pertaining to the labor-management relationships between all public employers and their employees except legislative employees, at the municipal, district, county, state and university levels, including the state's court system. The law which recites the Board's responsibilities (RSA Chapter 273-A) contains a statement of policy: 1) acknowledging the right of public employees to organize and be represented for the purpose of collective bargaining, 2) requiring public employers to negotiate in good faith, and 3) establishing the Board.

Structure:

The tripartite Board consists of five primary members and four alternate members who represent labor, management and neutral constituencies. The Board has a four person staff: Executive Director, Staff Counsel/Hearing Officer, Executive Secretary and Secretary Typist II.

Unit Determinations and Representation Elections:

The Board is responsible for determining appropriate bargaining units and certifying exclusive representatives of approved bargaining units. The Board utilizes formal adjudicatory proceedings as necessary to resolve unit composition issues. The question of exclusive representative certification is determined by confidential authorization cards or a secret ballot election. The Board also conducts elections to resolve decertification petitions or questions of representation when petitions are filed by rival unions to challenge the incumbent representative. The Board also considers and decides petitions which seek to modify an existing bargaining unit.

Unfair Labor Practices:

The Board convenes adjudicatory hearings to decide unfair labor practice complaints. Unfair labor practices may be committed by either labor or management. Conduct which constitutes an unfair labor practice is described in RSA 273-A:5, I and II. The Board also has jurisdiction to consider and decide Petitions for Declaratory Ruling.

Dispute Resolution Resource:

Under RSA 273-A:12, the Board is identified as a resource to assist parties in the resolution of disputes. This includes maintaining a list of "neutrals" available to serve as mediators or fact finders to assist the parties when they encounter difficulties in contract negotiations. The parties may also utilize the list of neutrals to select an arbitrator.

Private Sector Jurisdiction:

In 1990 the legislature recognized that the National Labor Relations Board had declined to take jurisdiction over operators of race tracks. Accordingly, under RSA 273-C the Board has jurisdiction over employees of dog and horse tracks.

Visit www.nh.gov/pelrb to access and search agency decisions, laws, rules, as well as collective bargaining agreement, unit certifications, and general information about agency operations and procedures.

**NEW HAMPSHIRE PUBLIC EMPLOYEE
LABOR RELATIONS BOARD**

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Board Members: Jack Buckley, Chairman
Kevin Cash, Employee Member
Carol Granfield, Employer Member
J. David McLean, Employee Member
James M. O'Mara, Jr., Employer Member
Charles S. Temple, Esq., Alternate Chair
Doris M. Desautel, Alternate Chair
Richard J. Laughton Jr., Alternate Employee Member
Sanford Roberts, Esq. Alternate Employer Member

Administration: Douglas L. Ingersoll, Executive Director
Karma Mozgovaya, Staff Counsel/Nearing Officer
Suzanne Kenney, Executive Secretary
Rebecca Gerlack, Support Staff

*Information compiled by New England Consortium of State Labor Relations agencies