



State of New Hampshire

Public Employee Labor Relations Board

**March 8, 2023 Budget Hearing
House Finance - Division I
Representative Peter Leishman, Chair**

New Hampshire Public Employee Labor Relations Board
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Mission Statement

Public Employee Labor Relations Board

When the Public Employee Labor Relations Act (RSA 273-A) became law in 1975 the legislature stated that "it is the policy of the state to foster harmonious and cooperative relations between public employers and their employees and to protect the public by encouraging the orderly and uninterrupted operation of government." This has been accomplished by: 1) recognizing the right of public employees to organize and be represented for the purpose of bargaining collectively with public employers such as the state, any political subdivision of the state, the university system but not the General Court; 2) requiring public employers to negotiate in good faith with certified employee representatives and reduce collectively bargained agreements to writing; and 3) establishing a public employee labor relations board with "broad powers to assist in resolving disputes between governments and its employees." Strikes and job actions are prohibited, and public employees have the right to form bargaining units and engage in collective bargaining pursuant to a statutory framework.

On a macro level, the mission of this board is to administer state public sector collective bargaining laws and rules in a fair, impartial, and consistent manner. This is achieved by the service of board members with labor experience, board members with management experience, and board members who represent the public interest and act as chairs, as well as by the service of a professional and administrative staff.

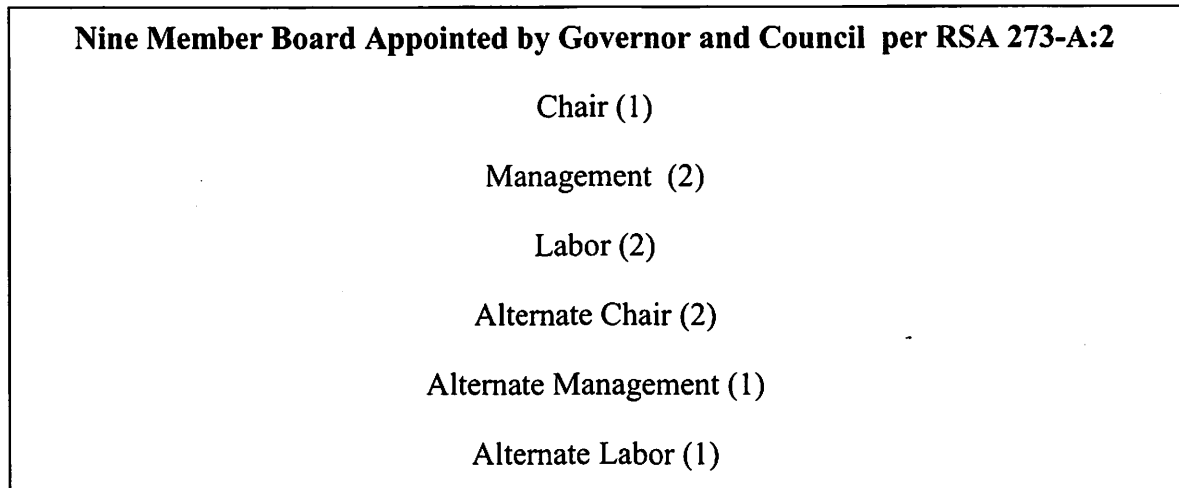
On a micro level, the board discharges its responsibilities, and fulfills its mission, through:

- Determination of appropriate bargaining units
- Elections to resolve representation questions, including challenge/decertification petitions
- Modifications to the composition of existing bargaining units
- Unfair Labor Practice hearings
- Declaratory Rulings
- Hearings to resolve contested cases
- Written decisions containing factual findings and legal rulings
- Rulemaking
- Neutral appointments for service as impasse mediators and fact finders and grievance arbitrators
- Maintenance of website including approximately 660 bargaining unit certifications and corresponding collective bargaining agreements, PELRB decisions dating to 1976, statutes and administrative rules, practice and procedure information, and guidance in the requirements of collective bargaining



Organizational Chart

Public Employee Labor Relations Board (4 FT Employees)



Executive Director/Counsel (1 FT)



Staff Attorney II (1 FT)

Legal Secretary IV (1 FT)

Secretary Typist II (1 FT)

Activity Overview:

Over the past five fiscal years, case filings have averaged 102 per year. This includes unfair labor practice complaints, certification & election petitions, modification petitions, and mediation/fact-finding/arbitration petitions. The table below reflects the number of approved bargaining units and contract status:

Employer	Number of Bargaining Units	Approved CBAs/Current	Total Expired CBAs	Current CBA %
State	56	49	7	87
CCSNH	3	2	1	66
USNH	16	13	3	82
County	38	28	10	74
City	155	136	19	88
Town	392	339	53	87
Total	660	567	93	86

Financial Summary:

	FY 2022 ACTUAL	FY 2023 ADJ AUTH	FY 2024 GOV REC	FY 2025 GOV REC
APPROPRIATIONS:				
GENERAL FUNDS	447,542	514,699	535,264	527,687
TOTAL FUNDS	448,622	516,288	536,658	529,108

Funding Sources: General funds, filing & copy fees.

Service Delivery System Detail: The PELRB functions are carried out by four full time employees (two support staff and two attorneys [1 Staff Attorney/Hearing Officer and 1 Executive Director/Counsel]) and a board (two members and an alternate with extensive experience representing organized labor, two members and an alternate with extensive experience in representing management interests, and one member and two alternates who serve as chairs appointed to represent the public at large). PELRB legal staff serve as hearing officers and issue

written decisions after hearing cases. Panels of board members (one chair, one labor, one management member) also hear cases, review hearing officer decisions upon motion, and act on all motions for rehearing. PELRB Offices include a public hearing room, lobby, and adjacent conference rooms. Contested hearings may involve twenty or more people, including multiple attorneys and party representatives as well as witnesses and interested members of the public. PELRB decisions are subject to internal review and subsequently a Rule 10 appeal to the state supreme court. PELRB legal staff is available to answer questions and provide guidance as appropriate and necessary to public employers, public employer groups, public employees, and labor organizations. Support staff has primary responsibility for case file maintenance and docket systems, and website maintenance.

Expected Outcomes: Accurate and informative responses to all general information requests and case file inquiries within one business day, typically by email if received in that format, or immediately in response to a telephone inquiry when practical and possible. Prompt scheduling of all filed cases, including the scheduling of a hearing within 45 days after filing, and the conduct of all proceedings in a fair and impartial manner. Provision to parties with a full and fair opportunity to present their cases under applicable law and rules. Issuance of interim orders and final written decisions which directly address the issues raised and clearly explain the basis for the order or decision. Consistency in the application of relevant statutes, prior decisions, case law, and rules. Timely maintenance of website.

Notes:

Note 1 – Class 027: The PELRB FY24-25 budget request includes funding to license and implement Legal Files case and data management software (\$17,880 in FY24; \$14,305 in FY25). This will modernize existing systems by improving docket management, current and historical case file access and organization, as well as scheduling, calendar maintenance/access, email processing/retrieval, status logs, deadline compliance, general data organization/retrieval. System upgrades are required, additional DoIT support to implement shared host with BTLA and manage establishment of Legal Files, including data migration, licensing requirements, consultants as applicable.

Note 2 – Class 027: The PELRB FY24-25 budget request includes \$7,000 for Network Equipment: Cabling and Fiber SW Defined Network-eNHance and \$4,000 for PCs and Laptops.

Note 3 – Class 049: The PELRB is currently supported by the Division of Personnel Human Resource Support Unit (HRSU) pursuant to a 2022 Memorandum of Understanding with the Division of Administrative Services at a cost of \$3,926 in FY24 and \$4,084 in FY 25. The DAS developed the HRSU program to provide HR support on a more structured basis to agencies/boards which lack the expertise due to a lack of FT internal HR staff.

Note 4 – Class 030: The PELRB budget includes a one-time equipment expense in FY 24 of \$7,000 to replace hearing room tables and office partitions.

Note 5 – Increase: The PELRB GF budget increase over FY23 Adj. Authorized is \$21,565 in FY24 and \$12,988 in FY25.