

Floor Amendment to HB 358

1 Amend the title of the bill by replacing it with the following:

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3 AN ACT relative to the filing and adoption of proposed administrative rules and relative to
4 the certification of a collective bargaining unit.

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6 Amend the bill by replacing all after section 18 with the following:

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8 19 Public Employee Labor Relations; Certification of Collective Bargaining Unit. Amend RSA
9 273-A:8, I to read as follows:

10 I. The board or its designee shall determine the appropriate bargaining unit and shall
11 certify the exclusive representative thereof when petitioned to do so under RSA 273-A:10. In making
12 its determination the board should take into consideration the principle of community of interest.
13 The community of interest may be exhibited by one or more of the following criteria, although it is
14 not limited to such:

- 15 (a) Employees with the same conditions of employment;
16 (b) Employees with a history of workable and acceptable collective negotiations;
17 (c) Employees in the same historic craft or profession;
18 (d) Employees functioning within the same organizational unit.

19 In no case shall the board certify a bargaining unit of fewer than ~~[10]~~ 5 employees with the same
20 community of interest. For purposes of this section, probationary employees shall be counted to
21 satisfy the employee minimum number requirement. In no case shall such probationary employees
22 vote in any election conducted under the provisions of this chapter to certify an employee
23 organization as the exclusive representative of a bargaining unit.

24 20 Effective Date. This act shall take effect 60 after its passage.

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AMENDED ANALYSIS

This bill makes various changes to the procedures for the filing and adoption of proposed administrative rules. The bill also reduces the minimum number of employees required to certify a collective bargaining unit from 10 to 5.