

# Senate Executive Departments and Administration Committee

*Ben Mickens 271-1403*

**HB 1109**, relative to notice and update requirements regarding state employee investigations.

**Hearing Date:** March 25, 2026

**Time Opened:** 10:44 a.m.

**Time Closed:** 11:00 a.m.

**Members of the Committee Present:** Senators Pearl, McGough, Gannon, Altschiller and Reardon

**Members of the Committee Absent :** None

**Bill Analysis:** This bill outlines procedures for handling the suspension of certain state and local employees by providing written notice and periodic updates.

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**Sponsors:**  
Rep. Flanagan

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**Who supports the bill:** Tyler Gouveia (PFFNH), Brian Ryll (PFFNH), Alan Raff (NH AFL-CIO), Glenn Brackett, and Daniel Richardson.

**Who opposes the bill:** Sarah Burke Cohen (NHMA) and Cory Stone.

**Who is neutral on the bill:** Cassie Abbott (NH DOL).

**Summary of testimony presented in support:**

**Representative Jack Flanagan**

- Representative Flanagan explained that HB 1109 had the goal of ensuring certain public employees receive notice when suspended.
- Representative Flanagan explained that the Senate placed an amendment on this bill last session which was not agreed to by the House of Representatives.
- Representative Flanagan stated that HB 1109 would put an end to situations where state employees are put on leave and not given any details.
- He added that this bill would save the state money by reducing salaries that are being paid for when they should not be.

## **Tyler Gouveia of the Professional Fire Fighters of New Hampshire**

- Mr. Gouveia voiced the organization's support of HB 1109.
- Mr. Gouveia explained that this bill is a step towards better government and transparency, ensuring that any public employees placed on leave receive timely written notice and updates.
- Mr. Gouveia explained that this bill is common sense legislation and it is a semi-common issue around the state. He added that lack of transparency hurts the trust of state employees and provides unnecessary stress.
- He stated that public employees serve the public and are held to high standards, thus, they deserve a fair and transparent process regarding paid and unpaid leave.

**Senator Reardon** asked if the organization would be opposed to language that ensures that the notice given does not limit possible charges.

**Mr. Gouveia** responded that he would be interested to see what that amendment would look like but does not yet have a position.

### **Summary of testimony presented in opposition:**

#### **Sarah Burke Cohen of the New Hampshire Municipal Association**

- Ms. Cohen voiced the association's opposition to HB 1109.
- Ms. Cohen voiced concern that 7 days is an extremely short period of time for an investigation and reason of suspension to be as accurately determined as the bill requests it be.
- She explained that this bill may cause some confusion for departments and employees as it does not align perfectly with administrative rules.
- Ms. Cohen also expressed concern about wording in the bill which may lead private employees to believe this applies to them.

**Senator Pearl** asked if the 7-day window to provide notification could jeopardize an ongoing investigation.

**Ms. Cohen** responded that this short window could put an investigation in danger depending on what the contents of the notification is.

### **Neutral Information Presented:**

#### **Cassie Abbott of the New Hampshire Department of Labor**

- Ms. Abbott explained that the department understands the bill to mean it would amend RSA 275 by creating a new subsection.

- Ms. Abbot stated that the department understands the bill to have the department serve as a record keeper of any notices issued, insuring procedures were followed correctly, and not to review or critique on the contents on the notices themselves.
- She stated that lines 6-8 does not specify the updates be in writing. She added that the department recommends this be specified in the bill if that is the goal.
- Ms. Abbott explained that the department interprets that any consequences for non-compliance would fall under their civil penalty authority in RSA 273:11-a.

**Senator Altschiller** asked what the penalties are under RSA 273:11-a.

**Ms. Abbott** explained that the statute states a warning shall be issued followed by a penalty up to \$2,500 dollars for subsequent violations.

**Senator Reardon** asked if there are situations where a warning isn't necessary and someone is simply put on leave.

**Ms. Abbot** responded that there is an enumerated list that describes when a warning is not necessary before administering civil penalty and the department does not believe the proposed language falls under that list.

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Date Hearing Report completed: March 26, 2026