



# The State Employees' Association Of New Hampshire, Inc.

Service Employees International Union, Local 1984, CTW, CLC

Labor, Industrial & Rehabilitative Services Committee  
NH House of Representatives  
Granite Place – Room 159

January 27, 2026

Good afternoon Mr. Chairman and Honorable Members of the House Labor, Industrial & Rehabilitative Services Committee. For the record my name is Richard Gulla, President of the NH State Employees' Association / SEIU Local 1984, and I am honored to be representing over 10,000 hard-working New Hampshire public employees and retirees.

We are the men and women who plow our roads, ensure we have clean water to drink, that our children are safe, and our elderly are cared for. We are your neighbors and friends. We are taxpayers. We are dedicated public servants who have helped build New Hampshire and continue to keep New Hampshire great.

Thank you for allowing me to provide comments and concerns relating to **HB 1704 (AS INTRODUCED) – An Act permitting public employees to bargain individually with public employers without any intervention.**

## The SEA is Opposed to HB 1704

For decades, RSA 273-A has provided New Hampshire with a stable, enforceable framework for public-sector labor relations. The statute's baseline obligation is explicit:

“It is the obligation of the public employer and the employee organization... to negotiate in good faith with respect to wages, hours, and other terms and conditions of employment.”

The New Hampshire Supreme Court has repeatedly recognized the central role of enforceable bargaining duties and neutral administration through the PELRB. For example, the Court has explained:

- Direct dealing and end-runs around bargaining undermine the statute's purpose: “Dealing directly with employees is generally forbidden because it seriously compromises the negotiating process and frustrates the purpose of RSA chapter 273-A.”
- The Act's impasse procedures are designed to increase transparency and pressure to reach agreement:

“[P]art of [RSA 273-A’s] purpose is to... ‘heighten public scrutiny’... and ‘increase the pressure on the parties to reach agreement.’”

In SEA’s view, HB 1704 would move New Hampshire away from a rules-based, enforceable system and toward an unstable, litigation-driven model that will harm employees, employers, and the public.

**(This table is SEA’s plain-English summary of how HB 1704 would function operationally compared to existing RSA 273-A obligations.)**

<b>Current Law (RSA 273-A)</b>	<b>HB 1704-FN (SEA Summary of Practical Effect)</b>
<p><b>DUTY TO BARGAIN</b> Statute requires public employers and exclusive representatives to bargain in good faith over “wages, hours, and other terms and conditions of employment.”</p>	<p>Weakenes enforceable bargaining duties over core employment terms, making obligations less definite, less predictable, and harder to administer consistently across agencies.</p>
<p><b>GUARDRAILS AGAINST END-RUNS</b> The New Hampshire Supreme Court has held that direct dealing “seriously compromises the negotiating process” and “frustrates” the purpose of RSA 273-A.</p>	<p>Increases disputes over what is mandatory versus discretionary, encouraging end-runs around bargaining and increasing unfair labor practice filings.</p>
<p><b>IMPASSE STRUCTURE &amp; PUBLIC ACCOUNTABILITY</b> Supreme Court precedent recognizes that RSA 273-A’s structure is intended to “heighten public scrutiny” and “increase the pressure” on parties to reach agreement.</p>	<p>Reduces predictability in dispute resolution, shifting conflicts from structured bargaining into litigation and executive-level intervention.</p>
<p><b>ENFORCEMENT REALITY</b> PELRB orders are reviewed under RSA 541, and factual findings are “presumed prima facie lawful and reasonable.”</p>	<p>Creates more threshold litigation over statutory meaning and scope, burdening agencies, the PELRB, and the administration rather than resolving disputes efficiently.</p>



# The State Employees' Association Of New Hampshire, Inc.

## ADMINISTRATIVE AND EXECUTIVE IMPACT

As the above table demonstrates, HB 1704 would not merely change labor-management relations, it would impose a significant administrative burden on the Executive Branch.

By weakening bright-line bargaining obligations, the bill would force agencies and central administration to manage labor relations on a case-by-case basis, increasing inconsistency, legal risk, and executive-level intervention in matters that are currently resolved through predictable statutory processes. Rather than reducing bureaucracy, HB 1704 would centralize conflict, increase litigation, and expose the administration to greater operational and political risk. Inconsistent hiring and pay practices invite other types of lawsuits, such as discrimination cases. It is the CBA and the rules that provide consistency of pay among State employees by providing established pay ranges, objective timelines for step increases, and across the board cost of living increases. These objective processes apply to all and protect the State from allegations of differing treatment which could lead to discrimination or other abuses such as nepotism or favoritism. Allowing individual contracts that break with practice would invite lawsuits based on presumed disparate and discriminatory practices.

## CONCLUSION

RSA 273-A works because it is clear, enforceable, and stable. HB 1704 would replace that framework with uncertainty, increased litigation, and administrative strain — without demonstrated benefit to the State or the public.

For these reasons, the New Hampshire State Employees' Association respectfully urges the Committee to recommend **HB 1704-FN as Inexpedient to Legislate**.

Respectfully submitted for your consideration,

Richard Gulla, President  
State Employees'  
Association of NH  
SEIU Local 1984