

The State Employees' Association Of New Hampshire, Inc.

Service Employees International Union, Local 1984, CTW, CLC

Matthew Newland
Employee Relations Manager
25 Capitol St.
Concord, NH 03301
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July 3, 2018

Re: Association Grievance, Step III, CBA Article's 3.4.4 and 3.5, Association Business.

Dear Mr. Newland:

The Service Employees International Union Local 1984, the State Employees Association of NH (SEA), on behalf of the SEA and its members protected by the Collective Bargaining Agreement (CBA) negotiated by the SEA and the State of New Hampshire for the period including 2018-2019 is grieving violation of the Article 3.4.4 and 3.5. As you know, these CBA Articles deal with the Association's Business. We also grieve the violation of the implied covenant of good faith and fair dealing that attaches to all contracts, including labor contracts in the State of NH.

Mr. Newland, as you are aware, on June 19, 2018 SEA Internal Organizer, Andy Capen received an email from Jim Richards, Store Operations Administrator for the New Hampshire Liquor Commission (NHLC), "...rescinding its grant of permission to visit stores effective immediately." In an email to SEA Internal Organizer, Andy Capen, Jim Richards stated as follows:

"It has come to our attention that the SEA president is visiting the stores. In light of the recent issues between the SEA president and the NHLC, his presence in the stores is disruptive to the workplace in violation of CBA section 3.5. Therefore, the Commission is rescinding its grant of permission to visit stores effective immediately."

Mr. Newland is it the position of the State of New Hampshire that the mere presence of an official of the SEA constitutes a "Per Se," disruption in the workplace? CBA Article 3.5 states: Permission shall not be unreasonably denied." We contend that the NHLC was being unreasonable. However, the SEA has reason to believe that the story of Mr. Gulla being a

disruption is a smoke screen. Mr. Richards spoke to SEA Internal Organizer Andy Capen by phone and told Andy that: “he received this instruction from Newland and the lawyers.”

Mr. Newland, no one was being disruptive in the workplace, as I believe you are fully aware. Saying that because there is currently some friction between the SEA and the NHLC the mere presence of the SEA President constitutes a disruption is, as I’m sure you understand, ludicrous. At the very least, no one reliable has come forward to describe to the SEA what credible sorts of disruptive actions took place. This is just a continuance of the State of New Hampshire’s and the NHLC’s campaign against the SEA and its NHLC members for their assistance in trying to prevent this State from being criminally charged and fined by the Federal Government for illegal procedures being practiced and encouraged by some high ranking agents of the NHLC and the State of New Hampshire.

Mr. Newland, the SEA demands that this violation and practice be stopped immediately. We further demand that the NHLC and the Executive Branch of the New Hampshire state government take immediate steps to prevent a reoccurrence, and that written recognition by the NHLC that the practice has been ended be sent to the State Employees’ Association forthwith.

Sincerely,

Charles McMahon
SEA Grievance Representative