



State of New Hampshire

PUBLIC EMPLOYEE LABOR RELATIONS BOARD

HOLLIS EDUCATION ASSOCIATION,
NEA-NEW HAMPSHIRE

Petitioner

v.

HOLLIS SCHOOL DISTRICT, S.A.U. #41

Respondent

CASE NO. T-0234:5

DECISION NO. 85-32

APPEARANCES

Representing the Hollis Education Association, NEA-NH:

W. Craig Farrell, UniServ Director, Region III
Carolyn Dorr, President HEA
Dorothy Thistle, School Nurse
Deidre Adams, School Nurse
Wally Cumings, NEA-NH

Representing the Hollis School District, S.A.U. #41:

Bradley F. Kidder, Esq., Counsel
Philip Dahlinger, Superintendent
Sue Price, Legal Assistant

BACKGROUND

The Hollis Education Association, NEA-NH in June of '84 filed a petition to modify the certified unit to include the position of nurses in the bargaining unit alleging that conditions since 1974 had changed greatly and as a result there existed a large disparity between employees of the Hollis School District. In requesting the modification, the Association stated that history showed the nurses were at one time compensated according to the teachers' salary schedule, however, the practice had been eliminated over the past few years but the nurses continued to be impacted by teacher contract requirements in the area of staff development, course reimbursement and benefits.

The District through its attorney disagreed with the reasons for the modification and requested a hearing before the Board.

Hearing was held in the Board's office in Concord on January 24, 1985 with all parties present.

FINDING OF FACTS

- The Staff Development Program from July 1, 1979 to June 30, 1982 dealt with "all members" in the requirement of 90 clock hours of approved activities as a requirement for reemployment in the District. Members attaining 225 hours in a 5-year period for Staff Development credit could convert said hours to one horizontal move on the salary schedule.

- Similarly, the collective bargaining agreement between the Hollis School Board and the Hollis Education Association effective July 1, 1980 to June 30, 1982 referred to "all staff member'" requirement of 90 clock hours and after attainment of 225 clock hours in a 5-year period of staff development credit could be converted to one horizontal move on the salary schedule.

- School Board policy adopted in April of 1980 involved the 225 clock hours for teachers only.

- Indications were that staff development had been required of nurses as well as teachers in the past and that in the 1983-84 school year a salary schedule was established for nurses which allowed them to utilize the same benefit as teachers.

- Nurses, however, were not allowed compensation for the required staff development hours after attainment of 225 clock hours or more.

- Prior to 1983-84 school year, no salary schedule existed for nurses; current Hollis School Nurse Salary Schedule was adopted in September 1983.

- With the beginning of the 1983-84 school year, the accumulation of clock hours would be counted for a horizontal move on the salary schedule.

- Job description for nurses had not been finalized until the current school year.

- Nurses do spend several hours in classroom teaching health and hygiene, dental health, sexuality education, drug abuse, alcoholism, etc.

- Many of the benefits afforded the teaching staff were also afforded the nursing staff of the district.

- Nurses have been evaluated as have the teachers.

- Prior to the new contract, the majority of conditions and benefits for teachers and nurses have been the same.

- Although certification by the State Department of Education is no longer required by the Department of Education, nurses are professionals employed in the School District.

- Nurses in the Hollis School District evidenced a strong self-felt community of interest and such evidence was also evident among the teaching staff of the District.

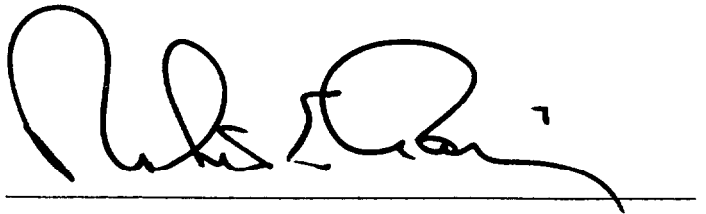
- Nurses are employed by the same employer, in the same geographic location; are in daily contact with teachers and students; are directly involved in the educational programs; work under similar conditions of employment, personnel policies, hours, etc.

DECISION AND ORDER

Having met the criteria under RSA 273-A:8 and the requirement under the Board's Rules and Regulations, Pub 302.05, it is hereby ORDERED that the nurses in the Hollis School District be included in the certified bargaining unit as represented by the Hollis Education Association, NEA/NEA-NH/HEA.

Certification as follows:

"All full-time certified teaching employees, librarians, guidance counselors and nurses."

A handwritten signature in black ink, appearing to read 'Robert E. Craig', written over a horizontal line.

ROBERT E. CRAIG, Chairman

By unanimous vote. Chairman Robert E. Craig presiding. Members Russell F. Hilliard and Robert D. Steele present and voting. Also present, Executive Director, Evelyn C. LeBrun.

Dated this 16th day of May, 1985