



State of New Hampshire

PUBLIC EMPLOYEE LABOR RELATIONS BOARD

DERRY EDUCATION ASSOCIATION, NEA-
NEW HAMPSHIRE

Petitioner

v.

DERRY COOPERATIVE SCHOOL DISTRICT/
SCHOOL BOARD, et al

Respondents

CASE NO. T-0223:9

DECISION NO. 85-61

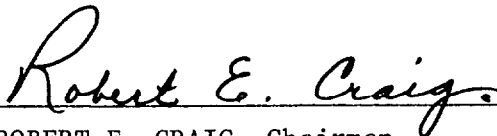
ORDER GRANTING PETITION FOR REHEARING

On April 2, 1985, PELRB issued a unanimous decision wherein it granted the Derry Cooperative School District's motion to dismiss stating the issue, change in method of payment for coordinators, had been fairly resolved with respect to the arbitration process and determined by the arbitrator that the School District had not breached the contract.

The Education Association filed a motion for rehearing alleging that PELRB erred in failing to follow a N.H. Supreme Court decision where the Court held, inter alia, that "even where a term or condition of employment has been set by some practice or agreement quite independent of a collective bargaining agreement, an employer may not change that term unilaterally, without bargaining about the change." It further alleged that PELRB erred in refusing to restore the status quo ante and make affected employees whole pending bargaining between the parties; and, erred in failing to conclude that a reduction in hours is a mandatory subject of bargaining but instead only concluded that the "impact" of such a decision was a mandatory subject of bargaining.

After consideration, the Board rules that the motion for reconsideration be, and hereby is GRANTED. Testimony at the hearing will be limited to alleged errors in the April 2, 1985 decision.

Hearing to be held at 1:30 p.m., Thursday, September 19, 1985 at the Board's office in Concord.


ROBERT E. CRAIG, Chairman

Signed this 21st day of August, 1985.

By unanimous vote. Chairman Craig, Members Hilliard and Roulx.