



State of New Hampshire
PUBLIC EMPLOYEE LABOR RELATIONS BOARD

SANBORN REGIONAL EDUCATION ASSOCIATION,
NEA-NEW HAMPSHIRE
Petitioner
.v.
SANBORN REGIONAL SCHOOL DISTRICT
Respondent

CASE NO. T-0256:13
DECISION NO. 86-05

APPEARANCES

Representing the Sanborn Regional Education Association, NEA/NH

Marc Benson, UniServ Director, NEA/NH

Representing the Sanborn Regional School District

Robert Leslie, Esq., Counsel

Also in Attendance

- Harry Ryerson, Superintendent SAU #17
Rosemary Putnam, President, SREA
David G. Conant, Chairman, Sanborn School Board
Wendy Baker, Member, Sanborn School Board

BACKGROUND

On September 12, 1985, the Sanborn Regional Education Association, NEA/NH filed a petition to modify a bargaining unit in the Sanborn Regional School District by including in the professional or teachers unit the newly created position of "medical assistant" (created in May of 1985). Nurses have been in the unit since 1975 and the SREA argues that the "medical assistant" position is "essentially similar" and should be in the same bargaining unit as the nurses.

The Sanborn Regional School District on September 26, 1985 filed an exception to the modification petition arguing a lack of community of interest with the positions in the professional unit and suggesting the "medical assistant" position more properly belonged in the Sanborn Regional Support Staff unit, which is also affiliated with the SREA.

A hearing was held at the District's offices on November 14, 1985, with all parties represented.

FINDINGS OF FACT

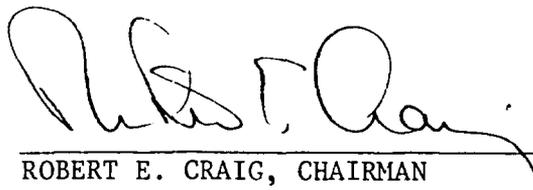
1. The "support staff unit", also represented by the SREA, contains positions of aides, lunch workers, secretaries, etc.
2. The "medical assistant" position requires a registered nurse, certified by the State of New Hampshire, sharing the "same historic craft" as regular school nurses, and working closely with the school nurses.
3. The duties of the "medical assistant" are very similar to those of the nurses (or appear to be exactly the same) except the medical assistant has no teaching or organized educational duties.
4. The new position was created to save money and will be paid by hourly wage rate not annual salary, as are nurses, and may work perhaps seven (7) hours per day for about 180 days per year. The savings to the district may be up to \$12,000 per year.

RULINGS OF LAW

Insofar as the position of "medical assistant" requires a registered nurse, a designation which requires the person to pursue education and training beyond the high school level, this position can easily be described as close to a "professional level" and certainly shares in the same "historic craft" as regular school nurses.

DECISION

The PELRB approves the petition for modification of the professional unit in the Sanborn Regional School District by including the new position of "medical assistant" in the unit and it is so ordered.



ROBERT E. CRAIG, CHAIRMAN

Signed this 16th day of January, 1986.

By unanimous vote. Chairman Robert E. Craig presiding. Members Seymour Osman, Richard Roulx and Russell Hilliard present and voting. Also present, Executive Director Evelyn C. LeBrun.