



State of New Hampshire

PUBLIC EMPLOYEE LABOR RELATIONS BOARD

HANOVER EDUCATION ASSOCIATION

Complainant

v.

HANOVER SCHOOL DISTRICT, SAU #22

Respondent

CASE NO. T-0231:6

DECISION NO. 87-20

APPEARANCES

Hanover Education Association Representative

John Fessenden, UniServ Director

Hanover School District Representative

Hugh Watson, Superintendent of Schools

BACKGROUND

The Hanover Education Association ("Association") filed a petition for the modification of a bargaining unit in the Hanover School District, SAU #22 ("District"). The Association requested the addition of two (2) nurses to the teacher's bargaining unit and filed its petition with PELRB on October 31, 1986.

The District, on November 13, 1986, objected to the inclusion of the nurses in the teacher's bargaining unit. The District pointed out that one nurse worked for the Dresden School District and one for the Hanover School District. The District further argued that the nurses did not share a community of interest with the teacher since (a) the nurses do not have teaching responsibilities and (b) do not hold teaching certificates and are not required to.

A hearing was held at the PELRB offices in Concord, N.H. on January 13, 1987 with all parties represented.

FINDINGS OF FACT

- 1). The Hanover Bargaining Unit was recognized in 1976.
- 2). There are some school districts where nurses are included in the teacher's unit (see: Alton, Bow, Colebrook, Derry, Dover).

- 3). The nurses have the same school year as teachers, same hours, same employer and so do other, non-teaching personnel.
- 4). The nurses do not have a regular daily teaching assignment as do the teachers.
- 5). The nurses are evaluated in a manner more similar to secretaries than teachers.
- 6). The nurses do not evaluate students as do teachers.
- 7). The nurses do not have individual contracts as do teachers.

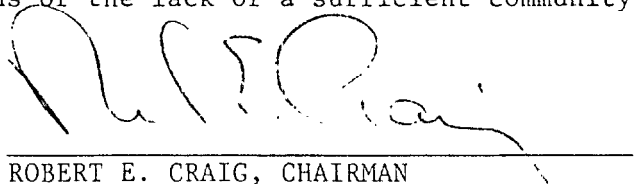
RULINGS OF LAW

(a) the nurses do not have teaching duties of a regular nature nor do they evaluate students in educational sense and further the nurses do not have comparable staff development or evaluation as do teachers.

(b) the nurses are clearly "health professionals", they possess advanced training and degrees, for instance, but they are not primarily educational or teaching professionals and do not share a sufficient community of interest with the existing teacher bargaining unit (see Bedford case #83-51 and particularly the Hinsdale case # 85-69).

DECISION

The request for unit modification to include the nurses in the teacher's bargaining unit is denied on the grounds of the lack of a sufficient community of interest.



Handwritten signature of Robert E. Craig, Chairman, in cursive script, positioned above a horizontal line.

ROBERT E. CRAIG, CHAIRMAN

Signed this 12th day of March 1987.

By unanimous vote. Chairman Robert E. Craig presiding, members John Andrews and Richard Molan present and voting. Also present, Evelyn C. LeBrun, Executive Director.