

## **State of New Hampshire**

PUBLIC EMPLOYEE LABOR RELATIONS BOARD

AMHERST EDUCATION ASSOCIATION/

NEA-NEW HAMPSHIRE

Complainant

v.

AMHERST SCHOOL DISTRICT

Respondent

CASE NO. T-0299:7

DECISION NO. 93-40

## ORDER TO PROCEED TO GRIEVANCE ARBITRATION

The Board, meeting at its offices in Concord, New Hampshire, on March 25, 1993, took the following actions:

- 1. It reviewed the unfair labor practice (ULP) charge filed by the Amherst Education Association (Union) on September 10, 1992 as well as the response by the Amherst School District filed September 25, 1992, the District's cross-complaint filed November 23, 1992, and the Union's response to the cross-complaint filed December 8, 1992.
- 2. It reviewed the case file and discussed the concerns of the respective board members who participated in a meeting with the parties and their representatives on February 14, 1993.
- 3. It noted the original complaint complained of a contract violation as it pertains to "hours" of employment and a mandatory subject of bargaining. Likewise, it noted that one of the requests for relief contained in the District's cross-complaint of November 23, 1992 sought an order directing the Union "to comply with the collective bargaining agreement in the resolution of matters of dispute [arising,]...under the master agreement."

4. Accordingly, it directed that the parties proceed to binding grievance arbitration over the subject matter of this dispute and that any time limits pertaining thereto be waived, (i.e., that timeliness may not be raised as a bar given that the case has been in various stages of processing before the PELRB since on or before September 10, 1992).

So ordered.

Signed this 5th day of April , 1993.

JACK BUCKLEY Alternate Chairman

By unanimous vote. Chairman Jack Buckley presiding. Members Seymour Osman and Arthur Blanchette present and voting.