



State of New Hampshire

PUBLIC EMPLOYEE LABOR RELATIONS BOARD

AUBURN EDUCATION ASSOCIATION,
NEA-NEW HAMPSHIRE

Complainant

v.

AUBURN SCHOOL DISTRICT

Respondent

CASE NO. T-0214:3

AUBURN SCHOOL BOARD

Complainant

v.

AUBURN EDUCATION ASSOCIATION,
NEA-NEW HAMPSHIRE

Respondent

CASE NO. T-0214:4

DECISION NO. 96-110

ORDER DISMISSING COMPLAINTS

The Board, meeting at its offices in Concord, New Hampshire on December 3, 1996, took the following actions:

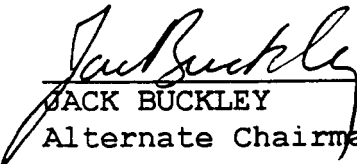
1. It convened to hear the positions of the parties in the unfair labor practice (ULP) complaint filed by the Association on September 13, 1996 and answered by the Board on September 27, 1996 as well as the ULP filed by the Board on September 30, 1996 and answered by the Association on October 15, 1996.
2. At the commencement of the hearing it heard the following stipulation of the parties:

In consideration of their mutual agreements to withdraw the two pending unfair labor practices pending before the PELRB for hearing today, the parties have agreed as follows: (1) that, in lieu of the hearing set for today, they will arbitrate the issues of (a) timeliness, (b) managerial prerogatives and (c) merits of the grievance; (2) that also in issue is the matter of whether the procedural aspects of topics (a) and (b), above, should be bifurcated from the hearing on the merits but that this determination will be left to the arbitrator; and (3) that they will meet within seven (7) days to select an arbitrator or, failing to do so, will request a list of arbitrators from the PELRB or American Arbitration Association.

3. It approved the foregoing stipulation of the parties and directed that Case Nos. T-0214:3 and T-0214:4 be dismissed.

So ordered.

Signed this 10th day of DECEMBER, 1996.



JACK BUCKLEY
Alternate Chairman

By unanimous decision. Alternate Chairman Jack Buckley presiding. Members Richard Roulx and Richard Molan present and voting.