State of New Hampshire

PUBLIC EMPLOYEE LABOR RELATIONS BOARD

CONCORD EDUCATION ASSOCIATION/

NEA-NEW HAMPSHIRE

:

COMPLAINANT

CASE NO. T-0220:32

v.

•

DECISION NO. 97-056

CONCORD SCHOOL BOARD

:

RESPONDENT

INTERIM ORDER

The Concord Education Association filed an unfair labor practice charge against the Concord School Board on January 29, 1997, alleging multiple violations of RSA 273-A:5, II. The School Board filed its answer on February 13, 1997. A hearing was held before the Board on May 22, 1997, at which time the parties introduced numerous documents and the testimony of several witnesses.

At the conclusion of the hearing, the Board requested and the parties agreed to waive oral arguments and in lieu thereof will file written arguments along with filing a memorandum in answer to questions posed by the Board below.

The questions the Board requests the parties to address are:

In light of the facts in this case and in general,

 Under what conditions or circumstances may a public employer subcontract work presently being performed by bargaining unit members?

- 2. At what time in the bargaining process may an employer subcontract bargaining unit work?
- 3. Does an employer have a duty to inform the bargaining representative of its intent to subcontract and, if so, in what manner?
- 4. Does the obligation to enter into impact bargaining attach to subcontracting situations?
- 5. What party has the obligation to demand impact bargaining?

The parties' written arguments and memorandum to the questions posed above are due at the Board's office thirty (30) days from the date of mailing of this Interim Order.

So ordered.

Signed this 29th day of May, 1997.

EDWARD J. HASELTINE

Chairman

By unanimous vote. Chairman Edward J. Haseltine presiding. Members Richard E. Molan, Esq. and Seymour Osman present and voting.