



State of New Hampshire
PUBLIC EMPLOYEE LABOR RELATIONS BOARD

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Farmington School District		*
	Complainant	*
v.		*
		*
Farmington Teachers Association/NEA-NH		*
	Respondent	*
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Case No: E-0049-2
Decision No. 2008-105

ORDER APPROVING CONSENT DECREE

The parties' Consent Decree, filed with the PELRB on May 13, 2008 and attached hereto and incorporated by reference, is approved.

So ordered.

May 13, 2008.



 Douglas L. Ingersoll, Esq.
 Hearing Officer

Distribution:
Peter C. Phillips, Esq.
Steven R. Sacks, Esq.

STATE OF NEW HAMPSHIRE
PUBLIC EMPLOYEE LABOR RELATIONS BOARD

Farmington School District

v.

Farmington Teachers Association/NEA-NH

Case No. E-0049-2-0796

CONSENT DECREE

The parties, both represented by counsel, hereby enter into the following consent decree and joint stipulation in full resolution and settlement of the pending unfair labor practice complaint filed by the Farmington School District:

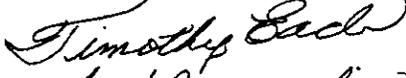
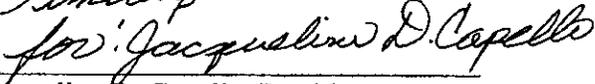
1. The Farmington Teachers Association (“the Association”) is an employee organization certified as the exclusive representative of certain employees of the Farmington School District (“the District”), including teachers and school nurses, for purposes of collective bargaining negotiations and the settlement of grievances.
2. The Farmington School Board (“the Board”) is the exclusive representative of the District for purposes of collective bargaining negotiations and the settlement of grievances with the Association.
3. As such, the Association agrees that it cannot, and will not, by-pass the Board and engage in direct dealing with District voters in order to seek voter approval of cost items to fund teacher salaries and benefits, including, but not limited to, by means of filing a petition warrant article pursuant to RSA 197:6.
4. The Association further agrees that such conduct, if established, constitutes a failure to negotiate in good faith with the public employer, in violation of RSA 273-A:5, II(d) and (g), and otherwise restrains and interferes with the public employer in its selection of agents to represent it in collective bargaining negotiations in violation of RSA 273-A:5, II(b).
5. The parties agree that this consent decree may be enforced by an appropriate filing with the PELRB and that violation of the consent decree would, in and of itself, constitute an unfair labor practice.

The parties hereby petition the PELRB to (a) adopt the provisions of this consent decree set forth above, as being in the best interests of the parties and supportive of the

collective bargaining process that is contemplated by RSA 273-A, and, accordingly, (b) direct that the District's unfair labor practice complaint be dismissed consistent herewith.



Kenneth Dickie, Jr., Chairman
Farmington School Board
Date:

Jacqueline D. Capello, President
Farmington Teachers Association
Date: