



State of New Hampshire
Public Employee Labor Relations Board

Sugar River Education Association, NEA-NH

v.

Claremont School Board

Case No. E-0188-1

Decision No. 2015-200

Order

The Association filed an unfair labor practice charge on August 26, 2015 on account of the School Board's implementation of an "A/B Block Schedule" for the 2015-16 school year at Stevens High School. The Association claims the School Board's actions are contrary to a final and binding arbitration award issued on June 29, 2015, which the Association argues the School Board has improperly failed to follow.¹ On August 27, 2015 the Association filed a Motion for a Cease and Desist Order, requesting that the PELRB prohibit the School Board from implementing the A/B schedule pending a PELRB hearing on its' complaint.

The School Board filed its objection to the Association's motion on August 31, 2015. The School Board argues that it properly rejected the arbitrator's award because schedule changes, like the one at issue in this case, are policy matters reserved to the exclusive managerial authority of the School Board and are a prohibited subject of bargaining pursuant to the provisions of RSA 273-A:1, XI and RSA 189:1-a, II. The School Board also maintains that the Association's motion is untimely and should be denied because August 26, 2015 was the first day of the 2015-16 school year, classes are already underway and related staffing arrangements in place.

The undersigned conducted a conference call with counsel and UniServ Director Brian Sullivan on September 1, 2015 and granted the Association's request to file a response to the School Board's objection on or before September 9, 2015. The parties are also encouraged to meet and confer to determine whether the issues raised in this case can be resolved without the formal intervention of the PELRB.

Date:

9/2/2015

Doug Ingersoll
Douglas L. Ingersoll, Esq.
Executive Director/Presiding Officer

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¹ The School Board voted to reject the Arbitration Award on July 15, 2015.