

Hillsboro-Deering Federation of Teachers, AFT Local #2348, AFT-NH, AFL-CIO v. Hillsboro-Deering School District, Decision No. 2008-175 (Case No. E-0045-2).

Background: The teacher's union issued a vote of "no confidence" in the district's school superintendent. The principal of a middle school undertook a course of action in reaction to a union's vote of "no confidence" that included directing specific words to the union membership at a mandatory faculty meeting. The complainant teachers' union filed an unfair labor practice complaint against the school district alleging that the district violated RSA 273-A, I in that it restrained, coerced, and interfered with its employees' rights, dominated the employee organization, and interfered with its administration. The district argued that the principal was simply exercising his free speech rights by expressing his personal view in support of the superintendent.

Decision: The majority held that the principal's actions resulted in intimidation of employees and that requesting their attendance at a meeting where non-attendance would expose members who had supported the "no confidence vote" and undercut the previous union vote amounted to "interference" and constituted a statutory violation. The minority held that the principal's remarks represented constitutionally protected free speech and did not rise to the level of prohibited actions amounting to interference with either employees' rights or union administration. The PELRB issued a cease and desist order requested by the union.

Disclaimer: This summary is intended to provide a brief description of the issues in this case and the outcome. The summary is not a substitute for the decision, should not be relied upon in place of the decision, and should not be cited as controlling or relevant authority in PELRB proceedings or other proceedings.