

White Mountains Educational Support Personnel/NEA-New Hampshire v. White Mountains Regional School District, Decision No. 2010-109 (Case No. E-0096-1).

Background: The Union filed an unfair labor practice complaint claiming that the District breached the CBA by failing to provide a supportive statement of facts and a letter of warning before proceeding with disciplinary action, by failing to sign the employee's evaluation, and by placing material in the employee's personnel file after giving her a notice of a dismissal hearing. The Union also claimed that the District discriminated against the employee on account of the reinstatement of the employee's health insurance benefits following a settlement agreement in a separate matter. The District denied the charge and moved to dismiss claiming that the Union failed to complete the contractual grievance process and to exhaust administrative remedies and that the complaint was untimely filed.

Decision: The PELRB granted the motion to dismiss finding that the PELRB lacked jurisdiction because the contractual violations raised by the Union were subject to the grievance process and because the Union's allegations were insufficient to support a claim of discrimination based upon the reinstatement of health insurance benefits.

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.