

Hollis School Board v. Hollis Education Association/NEA-NH, Decision No. 2011-045 (Case No. E-0037-2)

Background: The School Board filed an unfair labor practice complaint claiming that the Union improperly demanded arbitration on behalf of a speech language pathologist and an occupational therapist because these positions were not in the bargaining unit covered by the parties' CBA. The Union denied the charges and argued that both positions were in the bargaining unit because, among other things, for a number of years the School Board treated them as bargaining unit positions.

Decision: The PELRB sustained the School Board's complaint finding that, despite being treated like other bargaining unit employees for a number of years, speech language pathologists and occupations therapists were not in the bargaining unit represented by the Union because they were not "certified teachers" and, therefore, were not covered by the 1976 PELRB bargaining unit certification.

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.