

**Bedford Education Association/NEA-NH v. Bedford School District**, Decision No. 2011-059  
(Case No. E-0099-1)

**Background:** The Union filed an unfair labor practice complaint claiming that the District violated RSA 273-A:5, I (a), (e), (g), and (h) and RSA 273-A:3, I when it failed to fund the step increases for teachers for the 2010-2011 school year, which it was obligated to pay under RSA 273-A:12, VII (evergreen law) because the parties “entered into” a CBA after the July 15, 2008 effective date of the evergreen law. The Union asserted that the 2008-2011 CBA should be treated as three separate and divisible CBAs because the costs for each year of the CBA were presented to the voters separately and over a multi-year period. The District denied the charges and requested a dismissal claiming that the parties entered into the disputed CBA prior to July 15, 2008; the Union’s request for pay increases scheduled in the pay plan contained in the now expired CBA failed on that basis; and that the complaint was untimely because it was not filed within six months of the alleged violation as required by RSA 273-A:6, VII.

**Decision:** The PELRB found that the complaint was timely filed but denied the Union’s charges finding that, despite the multi-year cost approval system, the parties entered into the 2008-2011 CBA prior to the July 15, 2008 effective date of the evergreen law.

***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.***