

Hopkinton School Custodians, Teamsters Local 633 v. Hopkinton School District, Decision No. 2012-039 (Case No. E-0003-1).

Background: The Union claimed that the District committed an unfair labor practice in violation of RSA 273-A:5, I (a), (b), & (h) when it unilaterally moved a bargaining unit member from full-time to part-time employment and allegedly engaged in direct dealing with the bargaining unit member. The District denied the charges and asserted that the bargaining unit member requested part-time employment and that the disputed conduct was a proper and legitimate exercise of management rights.

Decision: The PELRB found that the District committed an unfair labor practice in violation of RSA 273-A:5, I (a), (b), and (h) because of its direct dealing with a bargaining unit employee over the terms and conditions of employment and its related failure to bargain with the Union about the transition of a full time employee into less than full time employment and the corresponding establishment of what was in substance a full time position shared by two employees. The District was ordered to cease and desist from direct dealing and commence bargaining with the Union concerning these matters. The Union's claim based on the reduction in the number of full time employees was dismissed.

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.