

Hillsboro-Deering Federation of Teachers, AFT #2348, AFT-NH, AFL-CIO v. Hillsboro-Deering School Board, Decision No. 2013-105 (Case No. E-0045-5).

Background: The Union claimed that the School Board violated RSA 273-A:5, I (e) when it failed to take a ratification vote on a tentative agreement reached by the parties. The Union alleged that the Chair of the School Board, who was also a member of the School Board's negotiating team, failed to second a motion to approve the tentative agreement, thereby preventing the vote from taking place and that this action by the Chair constituted an unfair labor practice because, under the law and the parties' agreed upon negotiation ground rules, members of negotiating teams were obligated to "recommend and advocate for adoption of any signed tentative agreements" reached by the teams. The School Board denied the charge. Although the School Board agreed that the parties reached a tentative agreement, it asserted, that members of the negotiating teams who disagreed with the terms of that agreement were not obligated to support it and that the Union was aware prior to entering into a tentative agreement that one School Board member of the District's negotiating team did not agree with certain terms of the tentative agreement.

Decision: The Hearing Officer found that the School Board violated RSA 273-A:5, I (e) when it failed to vote on ratification of the tentative agreement and when its negotiating team member failed to support the agreement during the ratification meeting, as required under the ground rules, the statute, and PELRB decisions.

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.