

White Mountains Education Association, NEA-NH v. White Mountains Regional School District, Decision No. 2015-052 (Case No. E-0083-4).

Background: The Union claimed that the District violated RSA 273-A:5, I (a), (g), and (h) when it failed to provide contractually required assistance to a non-tenured teacher prior to nonrenewing him after four years of employment. The Union argued that had the teacher been provided the assistance to which he was entitled under the collective bargaining agreement (CBA) and which he allegedly requested, his non-renewal could have been avoided. The District denied the charges and asserted, among other things, that the Union misinterpreted the CBA; that the District provided all the assistance required; and that the District had a statutory right to nonrenew a probationary teacher without cause or statement of reasons. The District also asserted that the PELRB had no jurisdiction over the complaint because RSA 189-14-a gave the District the right to non-renew a probationary teacher without a statement of reasons or a hearing and without giving the teacher an opportunity to improve.

Decision: The District motion to dismiss was denied. The Union's claims were dismissed because the evidence was insufficient to prove that the District violated RSA 273-A:5, I (a), (g), and/or (h) by failing to provide contractually required assistance to a non-tenured teacher prior to his nonrenewal. The District provided all the assistance required under the CBA.

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.