

STATE OF NEW HAMPSHIRE

PUBLIC EMPLOYEE LABOR RELATIONS BOARD

NASHUA TEACHERS' UNION, LOCAL 1044, :
"UNIT C", NHFT/AFT, AFL-CIO :

Petitioner :

CASE NO. T-0308

and :

DECISION NO. 780050

NASHUA SCHOOL DISTRICT :
NASHUA, NEW HAMPSHIRE :

Employer :

APPEARANCES

Representing the Petitioner:

Kenneth Moulton, President, N. H. Federation of Teachers

Representing the Public Employer:

H. Philip Howorth, Esquire, Counsel
Berard Masse, Superintendent
Jane Solomon, Personnel Director

BACKGROUND

Petition for a proposed unit composed of all secretaries, accountants, bookkeepers, clerks, receptionists, administrative assistants, procurement personnel and supervisor of personnel records employed by the Nashua School Department and excluded the executive secretary to the Superintendent was filed by the Nashua Teachers' Union, Local 1044, NHFT/AFT, AFL-CIO by its representative, Robert Sherman, President, on September 1, 1978.

In accordance with PELRB Rules and Regulations, Section 1.2(e), exceptions to the proposed unit were to be filed within fifteen (15) days or no later than September 16th; exceptions were not received until October 16, 1978.

The New Hampshire Federation of Teachers filed objection to the untimeliness of the filing on October 24, 1978 and requested PELRB deny consideration of the exceptions.

Hearing was held on November 15, 1978 in the Board's offices in Concord at which time the Chairman requested the parties take time to seek mutual agreement on the unit. The Board recessed and the parties reviewed the positions in question.

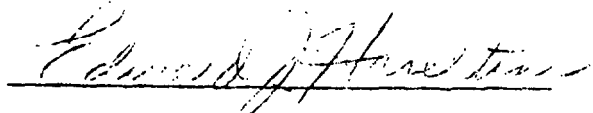
The meeting reconvened and the Board was advised that mutual agreement had been reached to limit the unit to employees who work for twenty (20) or more hours per week. Agreement was also reached to exclude the Secretary to the Superintendent and the Secretary to the Business Administrator but to include in the unit the Secretary to the Assistant Superintendent, Elementary level and the Secretary to the Assistant Superintendent, Secondary level.

Still in contention, however, were two positions; i.e., Supervisor of Business Services and Supervisor of Personnel Records. A description of the duties of both positions was reviewed and resulted in the exclusion of the Supervisor of Personnel Records because she would have access to all monetary and non monetary aspects of negotiations and complete access to all records regarding negotiations plus doing all data analysis and research. The representative for the Union conceded that she should be excluded.

After a caucus of the Board members, Board member Anderson moved that the position of Supervisor of Business Services be excluded as supervisory; the motion was seconded by member Cummings and carried unanimously.

BOARD DECISION & ORDER

The bargaining unit for the Nashua School District, Unit C, will consist of secretaries, accountants, bookkeepers, clerks, receptionists, administrative assistants and procurement personnel and will exclude executive secretary to Superintendent, secretary to Superintendent, secretary to Business Administrator, Supervisor of Business Services and Supervisor of Personnel Records.



EDWARD J. HASELTINE, CHAIRMAN
PUBLIC EMPLOYEE LABOR RELATIONS BOARD

Signed this 11th day of December, 1978

Unanimous vote. Present and voting, Chairman Haseltine, Members Cummings and Anderson. Also present, Board Clerk, Evelyn C. LeBrun