



## State of New Hampshire

### PUBLIC EMPLOYEE LABOR RELATIONS BOARD

LITCHFIELD EDUCATION ASSOCIATION/  
NEA-NEW HAMPSHIRE

Petitioner

v.

LITCHFIELD SCHOOL BOARD

Respondent

CASE NO. T-0283:10

DECISION NO. 90-18

#### APPEARANCES

##### Representing the Litchfield Education Association:

Marc Benson, NEA Souhegan Region UniServ Director

##### Representing the Litchfield School Board:

Gary W. Wulf, Consultant

##### Also appearing:

Peter Dolloff, Superintendent  
Larry Burton, Asst. Superintendent  
Ellen-Ann Robinson, School Board Member  
Carol Gigerenzer, School Board Member  
Paula Cullen Kent, School Board Member  
Jean Roberts, Litchfield Education Association  
Carolyn J. Leite, Litchfield Education Association

#### BACKGROUND

A modification petition was filed by the Litchfield Education Association (Association) to add to the existing bargaining unit those teachers or librarians engaged in job sharing one full time position.

The School Board (Board) through its representative filed objection to the proposed modification on the basis that the job share arrangements had clearly changed prior to negotiations of the contract in effect and job sharing appointments are extremely transitory, individualized and tailored to specific situations.

A hearing was held in the PELRB office in Concord on December 14, 1989 with all parties represented.

DECISION AND ORDER

After reviewing the testimony presented at the hearing and the Board's Motion to Dismiss, PELRB issued the following oral decision:

- A. The School Board's Motion to Dismiss the petition for modification of the unit is hereby GRANTED based on PELRB's finding that the position which seeks to be modified is currently within the bargaining unit as PELRB defines it and reads the certification.
- B. Since the Board has directly negotiated terms and conditions of employment for bargaining unit positions, that cannot be disturbed by the Association at this time because of the passage of time and the running of the statute of limitation. In that regard, the Board must be forewarned that the Association is the representative of those employees so future negotiations MUST take place with the Association.

Signed this 8th day of February, 1990.

  
JACK BUCKLEY  
Chairman

By unanimous vote. Chairman Jack Buckley presiding. Also present, members Richard W. Roulx and Richard E. Molan, Esq. Also present, Executive Director Evelyn C. LeBrun.