



## State of New Hampshire

### PUBLIC EMPLOYEE LABOR RELATIONS BOARD

CONCORD EDUCATIONAL OFFICE  
PERSONNEL ASSOCIATION/NEA-NH

Petitioner

v.

CONCORD SCHOOL DISTRICT

Respondent

CASE NO. M-0504:11

DECISION NO. 90-48

#### APPEARANCES

##### Representing C.E.O.P.A.:

Wally Cumings, UniServ Director, NEA-NH

##### Representing Concord School District:

Mark J. Welzenbach, Esq., Counsel

##### Also appearing:

Larry White, Asst. Superintendent  
Judi Faulkner, CEOPA  
Sally Doone, CEOPA  
Pearl L. Deschenes, CEOPA  
Linda D. Labbe, CEOPA  
Angela Carter, CEOPA  
Cheryl Miner, CEOPA

#### BACKGROUND

W.B. Cumings, Capital Region Director, NEA-NH, on behalf of the Concord Educational Officer Personnel Association (CEOPA) filed unfair labor practice charge against the Concord School Board (Board) for refusing to enter into a second round of factfinding.

The School Board through its Counsel replied to the charge and stated that 273-A:12, IV did not require them to resubmit a dispute to factfinding nor did the CBA obligate them to submit the dispute to further factfinding.

A hearing was held in the PELRB office on June 5, 1990 with all parties present.

DECISION and ORDER

After hearing all evidence and testimony on the background of negotiations which began in December of 1988, PELRB issued the following oral order:

1. The Concord School Board is guilty of unfair labor practice, a violation of RSA 273-A by refusing to participate in factfinding after impasse and a second round of mediation failed to resolve outstanding issues.
2. The Concord School Board and the Concord Educational Office Personnel Association are hereby ORDERED to proceed with factfinding with a PELRB appointed factfinder to be named no later than 4:00 p.m. on June 6, 1990.
3. Factfinder Allan McCausland of Fountain Square, Contoocook, N.H. has been appointed and will contact Wally Cumings of NEA-NH and Larry White, Asst. Superintendent to arrange an agreeable time and date for the factfinding session. (Copy of appointment letter enclosed)

Signed this 6th day of June, 1990.

  
EDWARD J. HASELTINE  
Chairman

By unanimous vote. Chairman Edward J. Haseltine presiding. Members Richard W. Roulx and E. Vincent Hall present and voting. Also present, Executive Director, Evelyn C. LeBrun.