



State of New Hampshire

PUBLIC EMPLOYEE LABOR RELATIONS BOARD

NEW BOSTON EDUCATION ASSOCIATION/
NEA-NEW HAMPSHIRE

Petitioner

and

NEW BOSTON SCHOOL BOARD

Respondent

CASE NO. T-0390

DECISION NO. 90-100

APPEARANCES

Representing the New Boston Education Association/NEA-NH:

Marc Benson, UniServ Director

Representing the New Boston School Board:

Douglas Hatfield, Esq., Counsel

Also in attendance:

Daniel J. Jamrog, N.B.E.A.

Rick Matthews, Principal

Timothy Gormely, Superintendent

BACKGROUND

On September 20, 1989, Hearings Officer, Edward J. Haseltine (Decision No. 89-60) recommended the approval of a bargaining unit including all professional staff employed by the New Boston School District (District) but excluded three part-time teaching positions on the basis that they worked less than 51% of the time.

The New Boston Education Association/NEA-NH appealed the decision on several points; i.e., (1) the decision grants the petition to include "all professional staff employed by the New Boston School District which includes all classroom teachers, guidance counselor and school nurse." (2) and the composition of the unit was reaffirmed in the "Order of Election."

Appeal was granted and hearing before the Board was held on July 5, 1990 with all parties represented.

FINDINGS OF FACT

The 51% rule applied in the above case is now a moot issue based on testimony that all staff members then in dispute now all work over 51% of the time and are included in the certified unit.

The 51% participation requirement has been corrected in subsequent decisions. (See Gilmanton 90-92 and Lyndeborough 90-81)

DECISION AND ORDER

The certified unit defined as, "All full-time and permanent part-time professional staff employed by the New Boston School District which includes all classroom teachers, guidance counselor and school nurse." The unit excludes the Principal.

So ordered.

Signed this 20th day of September, 1990.


EDWARD J. HASELTINE
Chairman

By unanimous vote. Chairman Edward J. Haseltine presiding. Members Richard E. Molan, Esq., and Seymour Osman present and voting. Also present, Executive Director, Evelyn C. LeBrun.