



State of New Hampshire

PUBLIC EMPLOYEE LABOR RELATIONS BOARD

NEW HAMPSHIRE FEDERATION OF TEACHERS

Petitioner

v.

PROFILE FEDERATION OF TEACHERS and
NEA-NEW HAMPSHIRE

Respondent

CASE NO. T-0373:3

DECISION NO. 90-110

MOTION FOR REHEARING AND MOTION FOR CLARIFICATION

On August 22, 1990, PELRB entered a unanimous decision wherein it ordered an election be held to determine whether the teaching staff in the Profile School District wish to retain their bargaining representative, Local 4401, Profile Federation of Teachers NHFT/AFT or affiliate and be represented in the future by the Profile Federation of Teachers, NEA-NH. It also stated that the parties were obligated to the contract as negotiated in all respect and that the Profile Federation of Teachers, Local 4401, AFT-NHFT remained the exclusive representative pending the outcome of the PELRB conducted election.

An election was held on September 26, 1990 and resulted in a 22 to 3 vote in favor of the Profile Federation of Teachers, NEA-New Hampshire. The 3 opposing votes were cast for "No Representative". The Profile Federation of Teachers, Local 4401, AFT/NHFT received no votes.

On September 11, 1990, Atty. James Allmendinger on behalf of the Profile Federation of Teachers, NEA-New Hampshire filed a Motion for Rehearing and requested PELRB reconsider and find that the Profile Federation of Teachers complied with Rule Pub 301.05 in the disaffiliation procedure and affiliated correctly with NEA-New Hampshire as of January 2, 1990.

Atty. Allmendinger on September 29, 1990 also filed a Motion for Clarification to determine whether the Profile Federation of Teachers, NEA-New Hampshire must pay dues to an organization from which they resigned on December 31, 1989 and to which they no longer belong.

Counsel for Local 4401, Emmanuel Krasner objected to both motions stating that the Profile Federation of Teachers, Local 4401, AFT/NHFT was entitled under the PELRB decision to the dues which were paid to the state and national organizations of the NEA-New Hampshire until the election was held and the change in affiliation effective, September 26, 1990.

DECISION AND ORDER

After review of all materials in the above case, PELRB DENIES the Motion for Rehearing but will reconvene on November 15, 1990 at 1:30 p.m. for the purpose of clarification only relative to the dues. Motion for Clarification is hereby granted. Notice of Hearing enclosed.

Signed this 18th day of October, 1990.


EDWARD J. HASELTINE
Chairman

By unanimous vote. Chairman Edward J. Haseltine presiding. Members Seymour Osman and Daniel Toomey present and voting. Also present, Executive Director, Evelyn C. LeBrun.