

# State of New Hampshire

PUBLIC EMPLOYEE LABOR RELATIONS BOARD

ASSOCIATION OF PORTSMOUTH TEACHERS/NEA-NEW HAMPSHIRE

Complainant

v.

PORTSMOUTH SCHOOL BOARD

Respondent

CASE NO. T-0251:13

DECISION NO. 92-99

#### **APPEARANCES**

## Representing Association of Portsmouth Teachers/NEA-NH:

Steven Sacks, Esq., Counsel James Allmendinger, Esq., Counsel

#### Representing Portsmouth School Board:

Thomas E. Cayten, Esq., Counsel

#### Also appearing:

Jean O'Shea, A.P.T.
Brenda Crosby, A.P.T.
Barney Share, P.S.B.
Nathan Greenberg, P.S.B.
Susan Girardine, Portsmouth
Steven L. Jones, Portsmouth
David J. Matthews, P.S.B.
Pam Macartney, Portsmouth
Susan Chagnon, N.H.S.B.A.

### ORDER

After filing of an unfair labor practice charge by the Association of Portsmouth Teachers, NEA-New Hampshire on March 10, 1992, and the filing of an answer and Motion to Dismiss on March 23, 1992, this matter was set for hearing by the Board on June 9, 1992. The parties appeared before the Board on that date and the Board issued the following order:

- The Board will accept the Motion to Dismiss without ruling at this time.
- 2. The Board feels that the parties have not utilized the negotiated procedures available under the contract language, namely, the grievance procedure in an attempt to resolve this case.
- 3. The Board waives any contract time limits set forth in the grievance procedure of the collective bargaining agreement and directs that the parties may not rely on any of those time limits in order to bar the processing of this case under the grievance procedure.
- 4. The Board will retain jurisdiction in this case until the grievance process authorized in the collective bargaining agreement has been completed.

So ordered.

Signed this 9th day of June, 1992.

EDWARD . HASELTINE

Chairmán

By unanimous vote. Chairman Edward J. Haseltine presiding. Members E. Vincent Hall and Seymour Osman present and voting.