



State of New Hampshire

PUBLIC EMPLOYEE LABOR RELATIONS BOARD

RUMNEY TEACHERS' ASSOCIATION/
NEA-NEW HAMPSHIRE

Complainant

and

RUMNEY SCHOOL BOARD

Respondent

CASE NO. T-0254:10

DECISION NO. 95-107

ORDER TO ARBITRATE

The Board, meeting at its offices in Concord, New Hampshire on October 31, 1995, took the following actions:


1. It reviewed the unfair labor practice (ULP) complaint filed by the Rumney Teachers' Association, NEA-NH, on July 27, 1995 which alleged a breach of contract resulting from certain deficiencies cited to a continuing contract bargaining unit member when she was renewed "with reservation" for continued employment in the 1995-96 school year while the deficiencies causing the reservation had not previously been pointed out to or conferred with her prior to the rehiring recommendation. It also reviewed the Rumney School Board's answer which was filed on August 10, 1995.

2. It examined the parties' collective bargaining agreement (CBA) for the period September 1, 1994 through August 31, 1997, noting that that document contains a grievance procedure wherein the final step is advisory arbitration.

3. It heard opening arguments for both parties and, upon inquiry, was told that a grievance has been filed in this matter but has not been processed through the final, advisory arbitration step of the grievance procedure. The parties have identified an arbitrator for this process but have not yet settled on a date.
4. After holding a caucus, the PELRB announced the following:
 - a) It would retain jurisdiction of this case.
 - b) It directed the parties to complete the advisory arbitration process contemplated by the grievance procedure of the CBA.
 - c) The parties are to notify the PELRB within thirty (30) days of the receipt of the advisory arbitration award and to request if either or both want this matter placed on the docket for further hearing by the PELRB. If no such request for further hearing is received within the said 30 days, this matter shall thereafter be dismissed from the PELRB's docket of cases.

So ordered.

Signed this 7th day of November, 1995.


EDWARD J. HASELTINE
CHAIRMAN

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