



STATE OF NEW HAMPSHIRE
PUBLIC EMPLOYEE LABOR RELATIONS BOARD

Allenstown Paraprofessional Association, NEA-NH

v.

Allenstown School District, SAU #53

Case No. E-0117-1

Decision No. 2011-187

Order re: Scheduling and Association Motion for Reconsideration

This hearing in this matter is being rescheduled and the case will be heard by a hearing officer. The Association's motion for reconsideration is denied subject to the following. During the course of the adjudicatory hearing the hearing officer shall determine as necessary whether any employee complaints relating to alleged violations of the American's with Disability Act (ADA), violations of free speech rights in criticizing the administration, or violations of RSA 275:56 relative to employee access to personnel files are relevant to the charge that the District violated RSA 273-A:5, I (a), (b) or (d) and improperly retaliated or discriminated against an employee for exercising rights and/or engaging in activity protected under RSA 273-A. However, the Board's prior order that proof of violations of such laws does not constitute a violation of RSA 273-A remains unchanged.

So ordered.

July 11th, 2011

Jack Buckley
Jack Buckley, Chair

By unanimous vote. Chair Jack Buckley presiding with alternate Board Members Kevin Cash and James M. O'Marra, Jr. also voting.

Distribution: J. Joseph McKittrick, Esq.
Kathleen C. Peahl, Esq.