

Elizabeth Arsenault v. Chester School District, Decision No. 2019-028 (Case No. E-0226-1).
Appeal dismissed. *Appeal of Elizabeth Arsenault*, Case No. 2019-0218 (December 23, 2019).

Background: Complainant claimed that the district violated the collective bargaining agreement (CBA) because she was terminated without the requisite written notice. She also claimed that the district did not properly process her grievance and improperly interfered with her efforts to file a grievance challenging her termination under the CBA's just cause provision. The district denied the charge, arguing that the PELRB lacks jurisdiction because the termination decision was subject to a grievance procedure which ends in binding arbitration and because Arsenault failed to prosecute a grievance through all the steps of the grievance procedure.

Decision: The PELRB had jurisdiction over the claim that the district prevented Arsenault from grieving her termination but this claim was not supported by the evidence. The hearing officer concluded that Arsenault never filed a step one grievance, was alone responsible for her failure to file and pursue a termination grievance, and her attempts to shift the blame to the district were without merit. The complaint was dismissed.

Disclaimer: This summary is intended to provide a brief description of the issues in this case and the outcome. The summary is not a substitute for the decision, should not be relied upon in place of the decision, and should not be cited as controlling or relevant authority in PELRB proceedings or other proceedings.