

Hudson School District and AFSCME Council 93, Local 1906, AFL-CIO, Decision No. 2024-009 (Motion for Review is pending). (Case No. E-0152-4.)

Background: District filed a modification petition pursuant to N.H. Admin. Rule Pub 302.05 seeking to remove the School Counselor position from the existing bargaining unit represented by Union. The District claims that the current bargaining unit was incorrect to a degree warranting modification because School Counselors were included in the unit with employees that were their direct supervisors, including the Director of School Counseling and Principals, contrary to RSA 273-A:8, II. The Union objected claiming, among other things, that there had been no change in circumstances warranting modification of the unit as required under Admin. R. Pub 302.05; that during negotiations on a successor CBA, the District proposed to remove the School Counselors from the bargaining unit, the Union rejected this proposal, and the parties executed and ratified the CBA without removing School Counselors; and that the District sought from the PELRB what it could not accomplish during the negotiations.

Decision: The District's petition for modification was dismissed because the District failed to allege, and offer sufficient evidence of, a change in circumstances warranting modification of the existing bargaining unit as required under Admin. R. Pub 302.05.

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.