



NH Supreme Court declined appeal of this decision on December 27, 1993, NH Supreme Court No. 93-657.

State of New Hampshire

PUBLIC EMPLOYEE LABOR RELATIONS BOARD

WAKEFIELD EDUCATION ASSOCIATION:
NEA-NEW HAMPSHIRE and
ROBERT GALLAGHER

Complainant

v.

WAKEFIELD SCHOOL DISTRICT

Respondent

CASE NO. T-0356:2

DECISION NO. 93-91

MOTION TO DISMISS

The Board, meeting at its offices in Concord, New Hampshire, on July 8, 1993, took the following actions:

1. It examined the complaint of unfair labor practice (ULP) filed by the Association on June 18, 1993 as well as the District's answer filed July 2, 1993.
2. It noted the date of the complaint of conduct, namely, the dismissal of Robert Gallagher on December 2, 1991 as well as intervening legal proceedings which included a Petition for Declaratory Judgment filed in Carroll County on April 15, 1992 and the granting of the District's Motion to Dismiss which was granted on Dec. 23, 1992.
3. It determined that this case, in the form of a ULP, was not timely filed with the PELRB under RSA 273-A:5 VIII.
4. Thus, it DISMISSED the ULP complaint.

Signed this 12th day of July, 1993.


EDWARD J. HASELTINE, Chairman

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