VERMONT LABOR RELATIONS BOARD

ORANGE EAST DISTRICT ELEMENTARY TEACHERS ASSOCIATION, VERSHIRE TEACHERS, VERMONT-NEA	)	
v.	)	DOCKET NO. 90-19
VERSHIRE BOARD OF SCHOOL DIRECTORS	)	

MEMORANDUM AND ORDER

On February 27, 1990, the Orange East District Elementary Teachers Association, Vershire Teachers, Vermont-NEA ("Association") filed an unfair labor practice charge against the Vershire Board of School Directors ("Employer"). Therein, the Association alleged that the Employer violated 16 VSA §2007(a) and (b), and 21 VSA §1726 (a)(1) and (5) by: 1) interfering with, restraining and coercing employees engaged in the exercise of their rights by engaging in anti-union animus; and 2) refusing to bargain collectively in good faith with the Association through surface bargaining and predictably unacceptable proposals. The Employer filed a response to the charge on March 19, 1990.

We decline to issue an unfair labor practice complaint in this matter because the charge was untimely filed. 21 VSA §1727(a) provides, in pertinent part, that "(n)o complaint shall issue based on any unfair labor practice occurring more than six months prior to the filing of the charge with the board". The Association makes various factual allegations to support its charge. However, the allegations of improper Employer actions concern actions of the Employer during the period March 1989-August 17, 1989. None of the allegations of improper Employer action involve events occurring after August 17,

1989, which is more than six months prior to the filing of the charge on February 27, 1990. Thus, the charge clearly is untimely pursuant to 21 VSA §1727(a).

Now therefore, based on the foregoing reasons, we decline to issue an unfair labor practice complaint and it is hereby ORDERED that this matter is DISMISSED.

Dated this 22nd day of March, 1990, at Montpelier, Vermont.

VERMONT LABOR RELATIONS BOARD

Charles H. McHugh, Chairman

Catherine L. Frank

Leslie G. Seaver