VERMONT LABOR RELATIONS BOARD

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| VERSHIRE BOARD OF SCHOOL DIRECTORS | ) | |
| v. | ) | DOCKET NO. 90-24 |
| ORANGE EAST DISTRICT ELEMENTARY TEACHERS ASSOCIATION, VERSHIRE TEACHERS, VERMONT-NEA | ) | |

MEMORANDUM AND ORDER

On March 19, 1990, the Vershire Board of School Directors ("Employer") filed an unfair labor practice charge against the Orange East District Elementary Teachers Association, Vershire Teachers, Vermont-NEA ("Association"). Therein, the Employer alleged that the Association violated 16 VSA §2006 by declaring impasse and refusing to bargain further before negotiations had taken place on all proposals made by the Employer in contract negotiations. The Association filed a response to the charge on March 30, 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 "no 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 Employer alleges that the Association committed an unfair labor practice at the point the Association declared impasse in negotiations. It is undisputed that the Association declared impasse prior to the beginning of August, 1989, which is more than six months prior to the filing of the charge on March 19, 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 4th day of May, 1990, at Montpelier, Vermont.

VERMONT LABOR RELATIONS BOARD

Charles H. McHugh, Chairman

William G. Kemsley, Sr.

Catherine L. Frank