

NEGOTIATION PROCEDURES WITH EDUCATIONAL SUPPORT PERSONNEL

OPENING NEGOTIATIONS

Upon request of either party to open negotiations, a mutually acceptable meeting date shall be set not more than thirty (30) days (when school is in session) following such request. All meetings shall be held at times and places mutually agreed upon and shall not exceed three hours. Specific language shall be presented at a mutually acceptable subsequent meeting.

Each team shall consist of no more than three members. Either team may use resource persons for making a presentation on a specific topic.

At the first meeting ground rules shall be established. Concepts to be addressed may include but are not limited to open versus closed sessions, length of bargaining sessions, press releases, release of information and the presence of observers.

SCOPE OF BARGAINING

The scope of bargaining shall be limited to salaries and fringe benefits and similar terms and conditions of employment which are the exclusive concern of the bargaining units. There shall be no negotiations on inherent managerial policy, including but not limited to the functions and programs of the board, standards of service, the board's budget, utilization of technology, the organizational structure of the schools, and the selection and direction of personnel. The board and the employees shall abide by all applicable state and federal statutes, rules and regulations. No agreement shall abrogate the legal rights, obligations, and powers of the board, including its power to make policy.

THE AGREEMENT

When agreement is reached between the negotiating teams on all proposals, the proposed agreement shall be reduced to writing and submitted and recommended first to the employees for ratification. After ratification by the employees, the agreement shall be recommended to the board. No agreement will be effective until the board has reviewed it against existing policies, adopted it, and entered it into the official minutes of the board.

RESOLVING DIFFERENCES

When there has been a persistent failure to reach agreement on the negotiations proposals, impasse shall be declared and the chairman shall appeal to the Commissioner of Labor as provided by statute.

The Commissioner of Labor shall have and perform the following powers and duties: (1) In case of strikes, lockouts, or other labor disputes between employers and employees, the Commissioner of Labor, requested by either party, shall endeavor to conciliate the parties to the controversy and induce them to confer with each other and compose the differences. If his/her efforts as conciliator prove unsuccessful, he/she shall thereupon impartially investigate the matters in difference between the parties giving each ample opportunity for presentation of the facts and shall thereupon make his/her report of the issues involved and his/her recommendation for settlement of the controversy and furnish a copy thereof to each of the parties and to the local newspapers for publication for the information of the public. The Commissioner of Labor shall have the right, if he/she so desires, or if requested by either party, to call in two capable citizens not directly connected with the dispute, one to be named by each party, to assist in the investigation and advise him/her as to his/her recommendations.

In the case of failure, after the full use of mediation, it is the responsibility of the board to make a decision in the interest of operating the school system.

ADOPTED: April 11, 1994
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