

Concerted Action/Work Stoppage

The Governing Board recognizes the importance of maintaining positive relations with employees, employee organizations, parents/guardians and community members throughout the collective bargaining process. In the event of an impasse in negotiations, the Board shall make a good faith effort to reach an agreement with the employee organization through participation in state mediation and fact finding procedures.

(cf. 4141/4241 - Collective Bargaining Agreement)

(cf. 4143/4243 - Negotiations/Consultation)

During any threatened or actual withholding of services, the Board shall keep parents/guardians and community informed about the status of district negotiations, the educational program and safety measures that have been taken by the district.

When feasible, the Board desires to keep schools operating during any work stoppage. The Superintendent or designee shall take steps necessary in order to help ensure the safety of students, staff and district property during a work stoppage. Such steps shall be reported to the Board as soon as possible.

The Board recognizes that preparation is necessary to reduce disruption during a work stoppage and to ensure that students receive the education to which they are entitled. The Superintendent or designee shall develop a written plan which shall delineate actions to be taken in the event of a strike or threatened strike. The plan shall include specific responsibilities of the Board and district staff, plans to maintain district operations, appropriate student instruction and supervision, as well as communication and safety issues.

(cf. 0450 - Comprehensive Safety Plan)

(cf. 1100 - Communications with the Public)

(cf. 1112 - Media Relations)

(cf. 9000 - Role of the Board)

When students raise questions related to a work stoppage, teachers shall be expected to approach the subject in accordance with the district's policy on controversial issues. Teachers shall not let such discussions interfere with their regular teaching responsibilities. Students shall not carry home messages that promote or explain the position of any employee organization that is engaged in or contemplating a work stoppage.

(cf. 6144 - Controversial Issues)

(cf. FTA Negotiated Agreement)

The Board believes that employees shall be held accountable for their behavior during any labor dispute. The district may take disciplinary action against employees, taking into account the seriousness of the behavior and the district's efforts to rebuild relations following the withholding of services by employees.

(cf. 4118 - Suspension/Disciplinary Action)

(cf. 4218 - Suspension/Disciplinary Action)

Legal Reference:

EDUCATION CODE

35204 Contract with attorney in private practice

35205 Contract for legal services

37200-37202 Instructional days

GOVERNMENT CODE

3540-3549.3 Educational Employment Relations Act, especially:

3543.5-3543.6 Unfair labor practices

3548-3548.8 Impasse procedures

INSURANCE CODE

10116 Employee continuation of insurance coverage

UNITED STATES CODE, TITLE 29

1161-1169 Continuation coverage and additional standards for group health plan

PUBLIC EMPLOYMENT RELATIONS BOARD DECISIONS

Fresno Unified School District, 1982, PERB Dec. No. 208, 6 PERC 13110

Konocti Unified School District, 1982, PERB Dec. No. 217, 6 PERC 13152

Management Resource:

CSBA PUBLICATIONS

Before the Strike: Planning Ahead in Difficult Negotiations, 1996

Policy FRESNO UNIFIED SCHOOL DISTRICT

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