

SECTION H: NEGOTIATIONS

HA	Negotiations
HD	School Board Negotiating Powers and Duties
HE	Board Negotiating Agents
HE-R	Regulation: Board Negotiating Agents
HF	Superintendent's Role in Negotiations
HH	Privileges of Staff Negotiating Organizations
HO	Work Stoppage

NEGOTIATIONS

The Board negotiates in good faith with the District's bargaining units that are certified by the State Employment Relations Board (SERB) and endeavors to reach agreement on items properly within the scope of bargaining.

The Board is governed by State law regarding collective bargaining with its certificated employee bargaining units for the purpose of entering into binding contracts. The scope of bargaining includes matters pertaining to wages, hours, terms, other conditions of employment and the continuation, modification or deletion of an existing provision of a collective bargaining agreement.

[Adoption date: October 22, 2013]

LEGAL REF.: ORC Chapter 4117

CROSS REF.: HD, School Board Negotiating Powers and Duties

CONTRACT REFS.: Teachers' Negotiated Agreement
Classified Staff Negotiated Agreement

SCHOOL BOARD NEGOTIATING POWERS AND DUTIES

The Board is recognized as the sole employer of the District and specifically retains unto itself all management rights as defined by law, except as specifically provided in the negotiated agreement(s). The Board is a party to the labor contract(s) or agreement(s) entered into with the State Employment Relations Board (SERB) certificated employee organization(s).

The Board has a duty to choose a negotiating team to meet with the representatives of the certificated employee unit(s) to fulfill its responsibilities to bargain collectively in compliance with law.

The Board has the responsibility of reviewing any tentative agreement reached in bargaining with the employee organization and approving or disapproving such agreements.

[Adoption date: October 22, 2013]

LEGAL REF.: ORC Chapter 4117

CROSS REFS.: HA, Negotiations
HE, Board Negotiating Agents

BOARD NEGOTIATING AGENTS

The Board decides whether to appoint a professional negotiator or to appoint representatives from within the District to serve as the Board's negotiating team(s). The fee or salary for a professional negotiator will be established by the Board at the time of appointment. The Board appoints members to the bargaining team who best serve the District's interest and who meet the qualifications mandated by law.

[Adoption date: October 22, 2013]

LEGAL REFS.: ORC 4117.04; 4117.20

CROSS REFS.: HA, Negotiations
HD, School Board Negotiating Powers and Duties

BOARD NEGOTIATING AGENTS

Appointment of a Professional Negotiator

The negotiator's fees or salary are established at the time of appointment.

The duties of the negotiator are to:

1. negotiate in good faith with the recognized bargaining units to attempt to arrive at a mutually satisfactory agreement on issues which are properly within the scope of bargaining by:
 - A. assisting and directing the Board's bargaining team in accumulating necessary data and information that may be needed for negotiations;
 - B. following guidelines set forth by the Board as to acceptable agreements and report on the progress of negotiations and
 - C. making recommendations to the Board as to acceptable agreements;
2. interpret the signed negotiated agreements to Board members and administrators and
3. plan, organize, direct and represent the District in mediation, fact-finding, arbitration and any other hearings involving negotiated agreements or grievances.

[Approval date: October 22, 2013]

SUPERINTENDENT'S ROLE IN NEGOTIATIONS

To the extent determined by the Board and permissible by law, the Superintendent is closely involved in planning, preparing and participating in the bargaining process.

The degree of involvement by the Superintendent in negotiations is specifically determined by the Board upon consultation with the Superintendent.

[Adoption date: September 12, 1995]

[Re-adoption date: April 22, 2003]

[Re-adoption date: October 22, 2013]

LEGAL REFS.: ORC 3319.01
4117.20

PRIVILEGES OF STAFF NEGOTIATING ORGANIZATIONS

The Board recognizes that public employees as defined by Ohio Revised Code 4117.01 have the following rights:

1. to form, join, assist, participate in or refrain from forming, joining, assisting or participating in any employee organization of their own choosing;
2. to representation by an employee organization;
3. to bargain collectively with their public employers to determine wages, hours, terms or other conditions of employment and the continuation, modification or deletion of an existing provision of a collective bargaining agreement and enter into collective bargaining agreements and
4. to present grievances and have them adjusted without the intervention of the bargaining representatives as long as the bargaining agreement then in effect and as long as the bargaining representatives have the opportunity to be present at the adjustment.

[Adoption date: October 22, 2013]

LEGAL REFS.: ORC 4117.01; 4117.03

CONTRACT REFS.: Teachers' Negotiated Agreement
Classified Staff Negotiated Agreement

WORK STOPPAGE

State law defines a strike to be a concerted action in failing to report to duty; willful absence from one's position; stoppage of work or slowdown or absence in whole or in part from the full, faithful and proper performance of the duties of employment for the purpose of inducing, influencing or coercing a change in wages, hours, terms or other conditions of employment.

In the event of a strike, the Board makes efforts to keep the schools open and operating. Precautions are taken for the safety and health of the working staff and students.

The Board directs the administration to develop a strike plan as a precautionary measure well in advance of any anticipated work stoppage.

[Adoption date: October 22, 2013]

LEGAL REFS.: ORC 4117.01; 4117.15; 4117.16; 4117.23

CONTRACT REFS.: Teachers' Negotiated Agreement
Classified Staff Negotiated Agreement