

## SECTION H: NEGOTIATIONS

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## NEGOTIATIONS

The Board is governed by State law regarding collective bargaining with its certified 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.

The Board will negotiate in good faith with the District's certified bargaining units and will endeavor to reach agreement on items properly within the scope of bargaining.

[Adoption date: May 9, 1994]

LEGAL REF.: ORC Chapter 4117

CONTRACT REF.: Teachers' Negotiated Agreement

## SCHOOL BOARD NEGOTIATING POWERS AND DUTIES

The Board is recognized as the sole employer of the District and will maintain all management rights as defined by law, except as specifically provided in the negotiated agreement(s). The Board will be a party to the labor contract(s) or agreement(s) entered into with the certified employee organization(s).

The Board has a duty to choose a negotiating team to meet with the representatives of the certified 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: May 9, 1994]

LEGAL REF.: ORC Chapter 4117

## BOARD NEGOTIATING AGENTS

Prior to commencement of any negotiations, the Board will decide 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 will appoint to the bargaining team those who will best serve the District's interest and who meet the qualifications mandated by law.

[Adoption date: May 9, 1994]

LEGAL REF.: ORC 4117.20

## BOARD NEGOTIATING AGENTS

### Appointment of a Professional Negotiator

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

The duties of the negotiator will be as follows:

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

(Approval date: May 9, 1994)

## SUPERINTENDENT'S ROLE IN NEGOTIATIONS

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

The direct nature of involvement by the Superintendent at the bargaining table will be determined by the Board in close communication with the Superintendent.

[Adoption date: May 9, 1994]

LEGAL REF.: ORC 4117.20

## PRIVILEGES OF STAFF NEGOTIATING ORGANIZATIONS

Except as may be expressly limited by negotiated agreements(s) the Board recognizes that public employees generally have the following rights:

1. to form, join, assist, participate in or refrain from forming, joining, assisting or participating in any employee organization;
2. to be represented by an employee organization;
3. to bargain collectively with their public employers to determine wages, hours, terms, other conditions of employment and 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 representatives have the opportunity to be present at the adjustment.

[Adoption date: May 9, 1994]

LEGAL REFS.: ORC 4117.01; 4117.03

CONTRACT REF.: Teachers' Negotiated Agreement

PAYMENT OF NEGOTIATIONS COSTS

The Board will appropriate funds to provide representation for the District in the collective bargaining process. The costs of negotiations will vary depending upon the Board's use of professional negotiators and the involvement of school administrators and experienced staff.

[Adoption date: May 9, 1994]

LEGAL REF.: ORC 4117.14



## PROCEDURES FOLLOWING RATIFICATION

The Board will ensure that the negotiated agreement is distributed to all administrative staff and other staff designated in the negotiated agreement. The Board will provide an in-service orientation program on the implications of the provisions included in the agreement for all its administrative staff.

[Adoption date: May 9, 1994]

## 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; 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 will make efforts to keep the schools open and operating. Precautions will be taken for the safety and health of the working staff and students.

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

[Adoption date: May 9, 1994]

LEGAL REF.: ORC 4117.01

CONTRACT REF.: Teachers' Negotiated Agreement