

## SECTION H: NEGOTIATIONS

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## 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 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.

[Adoption date: May 18, 2015]

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 State Employment Relations Board (SERB) 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 18, 2015]

LEGAL REF.: ORC Chapter 4117

CROSS REF.: HA, Negotiations

## 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: May 18, 2015]

LEGAL REFS.: ORC 3319.01  
4117.20

## PRIVILEGES OF STAFF NEGOTIATING ORGANIZATIONS

The Board recognizes that those public employees as defined by ORC 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. representation by an employee organization;
3. to bargain collectively with their public employers to determine wages, hours, terms and 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 representative as long as the bargaining agreement is then in effect and as long as the bargaining representatives have the opportunity to be present at the adjustment.

The above listed rights may be subject to the provisions of the contract agreement.

[Adoption date: May 31, 2011]

[Re-adoption date: May 18, 2015]

LEGAL REF.: ORC Chapter 4117

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

PAYMENT OF NEGOTIATIONS COSTS

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

[Adoption date: May 31, 2011]  
[Re-adoption date: May 18, 2015]

LEGAL REF.: ORC 4117.14

## WORK STOPPAGE

State law defines a strike to be a continuous concerted action in failing to report to duty; willful absence from one's position; and stoppage of work 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.

Staff members who fail to perform their normal duties when so required as part of a concerted unauthorized work stoppage will be subject to loss of pay and fringe benefits, including paid insurance coverage.

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

[Adoption date: May 31, 2011]

[Re-adoption date: May 18, 2015]

LEGAL REFS.: ORC 4117.01; 4117.15; 4117.16; 4117.18; 4117.23

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