

## SECTION H: NEGOTIATIONS

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HA	Negotiations
HAA*	Negotiations Priority Objectives
HB*	Negotiations Legal Status
HC*	Scope of Negotiations
HD	School Board Negotiating Powers and Duties
HE	Board Negotiating Agents
HF	Superintendent’s Role in Negotiations
HG*	Employee Organizations
HH*	Privileges of Staff Negotiating Organizations
HI	Payment of Negotiations Costs
HJ*	Negotiations Procedure
HJA*	Negotiations Deadlines for the Board
HK	Release of Negotiations Information
HL*	Preliminary Negotiated Agreement Disposition
HM	Procedures Following Ratification
HN*	Impasse Procedures
HO	Work Stoppage
HP*	Negotiated Amendments and Renegotiations Procedures

\*These topics are not currently covered by Board policy.

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

[Adoption date: November 19, 2003]

LEGAL REF.: ORC Chapter 4117

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

CONTRACT REF.: Teachers' 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: November 19, 2003]

LEGAL REF.: ORC Chapter 4117

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

## BOARD NEGOTIATING AGENTS

Prior to commencement of any negotiations, 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 is 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: November 19, 2003]

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 which 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 contracts 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 contracts or grievances.

(Approval date: November 19, 2003)

## 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: November 19, 2003]

LEGAL REFS.: ORC 3319.01  
4117.20

## 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: November 19, 2003]

LEGAL REF.: ORC 4117.14

RELEASE OF NEGOTIATIONS INFORMATION

Negotiations between the Board and an employee organization are private and are not conducted in public session. Communication relative to the bargaining process with the news media and the public is by a person or persons designated by the Board; such communications are carried out in accordance with Board policy and the obligation or prerogative of the Board under the collective bargaining contract(s) or agreement(s).

[Adoption date: November 19, 2003]

LEGAL REFS.: ORC 102.03(B)  
121.22(G)  
4117.21

CONTRACT REF.: Teachers' Negotiated Agreement

## PROCEDURES FOLLOWING RATIFICATION

The Board ensures that the Negotiated Agreement is distributed to all administrative staff. The Board/designee provides an in-service on the implications of the provisions included in the contract or agreement for all its administrative staff.

[Adoption date: November 19, 2003]

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.

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

[Adoption date: November 19, 2003]

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

CONTRACT REF.: Teachers' Negotiated Agreement