

Policy 4141.6: Concerted Action/Work Stoppage

Status: DRAFT

Original Adopted Date: Pending

The Governing Board recognizes the importance of maintaining ongoing positive relations with employees and engaging in fair, respectful negotiations with employee organizations. The Board desires to reach agreement on employment contracts in a manner that prevents disruption to school operations and minimizes impact on student achievement.

The Board recognizes that advance planning is necessary to ensure that, in the event of a work stoppage, strike, or other concerted employee activity, students continue to receive educational services to which they are entitled. The Superintendent or designee shall develop a written plan which shall include strategies for the provision of internal and external communications, preservation of student and staff safety, maintenance of district operations, and appropriate student instruction and supervision during a work slowdown or stoppage.

Days of instruction lost due to a work stoppage may be made up following the end of the normal school year.

If an employee organization gives notice that it intends to strike, the Superintendent or designee shall notify the Public Employment Relations Board, Employment Development Department, employees in the striking unit, other district employees, parents/guardians, students, law enforcement, the media, and others as appropriate.

Employees should be held accountable for their behavior during any labor dispute. The district may take disciplinary action against any employee who engages in an unlawful concerted action or in unlawful behavior in an otherwise protected activity, taking into account the seriousness of the behavior and the district's efforts to rebuild relations following the withholding of services by employees.

However, the district shall not discontinue or threaten to discontinue employer contributions for health care or other medical coverage for any employee or their enrolled dependents for the duration of the employee's participation in an authorized strike, as defined in Government Code 3141 and specified in the accompanying administrative regulation.

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

State References	Description
Ed. Code 35204	Contract with attorney in private practice
Ed. Code 35205	Contract for legal services
Ed. Code 37200-37202	School calendar
Gov. Code 3140-3142	Public Employee Health Protection Act
Gov. Code 3540-3549.3	Educational Employment Relations Act
Gov. Code 3543.5-3543.6	Unfair labor practices
Gov. Code 3548.3548.8	Impasse procedures

Management Resources References

Management Resources References	Description
Public Employment Relations Board Decision	Fresno Unified School District, 1982, PERB Dec. No. 208, 6 PERC 13110
Public Employment Relations Board Decision	Konocti Unified School District, 1982, PERB Dec. No. 217, 6 PERC 13152
Website	California Public Employment Relations Board - https://simbli.eboardsolutions.com/SU/7Fndg3k626KwCb511Tslsh2ew==
Website	State Mediation and Conciliation Service (SMCS) - https://simbli.eboardsolutions.com/SU/Hh5BRnaxsR9icKPFMBBCOPA==
Website	CSBA - https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==

Cross References**Description**

0400	Comprehensive Plans - https://simbli.eboardsolutions.com/SU/5plusfKUn3aL8gJu7D0hZoQ9A==
0450	Comprehensive Safety Plan - https://simbli.eboardsolutions.com/SU/XVeModcEEplusmIKmIViNyG8g==
0450	Comprehensive Safety Plan - https://simbli.eboardsolutions.com/SU/vQZUWC8qslshfqZpV1MmtaRBg==
1100	Communication With The Public - https://simbli.eboardsolutions.com/SU/Hywu1plusUHmPznTnAojQeislshg==
1112	Media Relations - https://simbli.eboardsolutions.com/SU/3IHEaJYmsnDktqG0qiC94Q==
1400	Relations Between Other Governmental Agencies And The Schools - https://simbli.eboardsolutions.com/SU/bol2KOpusFOV4IODLslshnZFOsg==
1700	Relations Between Private Industry And The Schools - https://simbli.eboardsolutions.com/SU/ENsaEZnFslshbfDue5uvAGxYw==
3512	Equipment - https://simbli.eboardsolutions.com/SU/r1rNkRaXyrj10VEAVGfslsh9g==
3512-E PDF(1)	Equipment - https://simbli.eboardsolutions.com/SU/6RcqkwFE4ATq4nsbPZZJJg==
3541	Transportation Routes And Services - https://simbli.eboardsolutions.com/SU/pRnghpy2WvRLpluszmg8gC7aw==
3550	Food Service/Child Nutrition Program - https://simbli.eboardsolutions.com/SU/8PD4MufjPOdleCs1QuQQ3Q==
3550	Food Service/Child Nutrition Program - https://simbli.eboardsolutions.com/SU/KVOgHhXokXVv3QqM5NwYslshQ==
4113	Assignment - https://simbli.eboardsolutions.com/SU/sZzMn4gLi6zpKCi8VyJJUA==
4113	Assignment - https://simbli.eboardsolutions.com/SU/nuJniXqwYV0Ds3WwJ7z8bg==
4118	Dismissal/Suspension/Disciplinary Action - https://simbli.eboardsolutions.com/SU/rOKplusxHxHkrEBT6aplusTWhislshQ==
4121	Temporary/Substitute Personnel - https://simbli.eboardsolutions.com/SU/DcCmKPh09vg5JzXomtjUHA==
4121	Temporary/Substitute Personnel - https://simbli.eboardsolutions.com/SU/YykFd9RvVplus6GgB2BddENyw==
4154	Health And Welfare Benefits - https://simbli.eboardsolutions.com/SU/6R1sBLgslshYgDslshAd2SuZj7eA==
4154	Health And Welfare Benefits - https://simbli.eboardsolutions.com/SU/WNoCah873JGR0slshZyGCtZtQ==
4161.1	Personal Illness/Injury Leave - https://simbli.eboardsolutions.com/SU/pBT8qcBchpd9Nretl5tpDQ==
4161.2	Personal Leaves - https://simbli.eboardsolutions.com/SU/On8aJXm8vISRtdFTHYgumw==
4218	Dismissal/Suspension/Disciplinary Action - https://simbli.eboardsolutions.com/SU/WSdW3plusnjP9wlvJpaJpqnSA==
4254	Health And Welfare Benefits - https://simbli.eboardsolutions.com/SU/IOQxocnnc7t0zO4gNslshFig==
4254	Health And Welfare Benefits - https://simbli.eboardsolutions.com/SU/baiguAHICDz2MiTzMIQl0A==

4261.1	Personal Illness/Injury Leave - https://simbli.eboardsolutions.com/SU/NbmFlv1J1eoV9plusRT1mhpfw==
4261.2	Personal Leaves - https://simbli.eboardsolutions.com/SU/847PCMzco4iw8hFQgZErUQ==
4354	Health And Welfare Benefits - https://simbli.eboardsolutions.com/SU/AUcC2pRXWApZWZErGJyJUg==
4354	Health And Welfare Benefits - https://simbli.eboardsolutions.com/SU/slsh0UxeGKSx3ebrYlspgJSrg==
4361.1	Personal Illness/Injury Leave - https://simbli.eboardsolutions.com/SU/et11turBC71j4hKK2A3r6A==
4361.2	Personal Leaves - https://simbli.eboardsolutions.com/SU/IJj2CGBYDwcCELCob3rSMA==
6111	School Calendar - https://simbli.eboardsolutions.com/SU/zE2rFwkQKAxvhGSm9WioAQ==
6144	Controversial Issues - https://simbli.eboardsolutions.com/SU/uJslsh5tSQtG3KAslshiBtacuigA==
6145	Extracurricular And Cocurricular Activities - https://simbli.eboardsolutions.com/SU/kcnplusEMDbUq3oAi14H67CXg==
6145	Extracurricular And Cocurricular Activities - https://simbli.eboardsolutions.com/SU/HodC5SBhYgTQ4CslshjPbo8xQ==
9000	Role Of The Board - https://simbli.eboardsolutions.com/SU/yCFHLIFLUDCtfgppluseQHTJg==
9320	Meetings And Notices - https://simbli.eboardsolutions.com/SU/OxDNy6bT6iJslshUjLW43u4bg==