

Policy 4141.6: Concerted Action/Work Stoppage **Status: ADOPTED**

Original Adopted Date: 12/01/1989 | **Last Revised Date:**
03/01/2022 | **Last Reviewed Date:** 03/01/2022

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.

State

Ed. Code 35204
Ed. Code 35205
Ed. Code 37200
Gov. Code 3140-3142

Description

Contract with attorney in private practice
Contract for legal services
School calendar
Public Employee Health Protection Act

Gov. Code 3540-3549.3
Gov. Code 3543.5-3543.6
Gov. Code 3548.3548.8

Management Resources

Public Employment Relations Board
Decision
Public Employment Relations Board
Decision
Website
Website
Website
Website

Educational Employment Relations Act

Unfair labor practices

Impasse procedures

Description

Fresno Unified School District, 1982, PERB Dec. No. 208, 6
PERC 13110
Konocti Unified School District, 1982, PERB Dec. No. 217, 6
PERC 13152
CSBA District and County Office of Education Legal Services
State Mediation and Conciliation Service (SMCS)
California Public Employment Relations Board
CSBA

Code

0400
0450
0450
1100
1112
1400

1700
3512
3512-E(1)
3541
3550
3550
4113
4113
4118
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4121
4121
4141
4143
4143.1
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4161.1
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4218
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4241
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4243.1
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4254
4261.1
4261.2
4354
4354
4361.1
4361.2
6111
6144
6145
6145
9000
9320

Description

Comprehensive Plans
Comprehensive Safety Plan
Comprehensive Safety Plan
Communication With The Public
Media Relations
Relations Between Other Governmental Agencies And The
Schools
Relations Between Private Industry And The Schools
Equipment
Equipment
Transportation Routes And Services
Food Service/Child Nutrition Program
Food Service/Child Nutrition Program
Assignment
Assignment
Dismissal/Suspension/Disciplinary Action
Dismissal/Suspension/Disciplinary Action
Temporary/Substitute Personnel
Temporary/Substitute Personnel
Collective Bargaining Agreement
Negotiations/Consultation
Public Notice - Personnel Negotiations
Public Notice - Personnel Negotiations
Health And Welfare Benefits
Health And Welfare Benefits
Personal Illness/Injury Leave
Personal Leaves
Dismissal/Suspension/Disciplinary Action
Dismissal/Suspension/Disciplinary Action
Collective Bargaining Agreement
Negotiations/Consultation
Public Notice - Personnel Negotiations
Public Notice - Personnel Negotiations
Health And Welfare Benefits
Health And Welfare Benefits
Personal Illness/Injury Leave
Personal Leaves
Health And Welfare Benefits
Health And Welfare Benefits
Personal Illness/Injury Leave
Personal Leaves
School Calendar
Controversial Issues
Extracurricular And Cocurricular Activities
Extracurricular And Cocurricular Activities
Role Of The Board
Meetings And Notices

