

Section 6000 – Negotiations

TC-6000-1

6000—NEGOTIATIONS

(This section on negotiations is confined to professional employees negotiating under the Public Employment Relations Act, MCL 423.201 *et seq.*)

6001	Goals and Objectives
6050	Recognition of Bargaining Units
6100	Board Negotiating Agents
6150	Superintendent's Role in Negotiations
6200	Confidentiality of Negotiations Information
6400	Contract Ratification

Section 6000 – Negotiations

6001 Goals and Objectives

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The Board recognizes its legal obligation to negotiate wages, hours, and terms and conditions of employment with duly and legally recognized employee groups. It is the intent of the Board and its authorized representatives to adhere to the confines of the law and to discharge its obligations in an orderly and positive manner within the restrictions of the Public Employment Relations Act.

It is the intent of the Board to participate in the negotiations process in order to maintain the primary function of the District, which is the education of students.

Approved: February 22, 2010
LEGAL REF: MCL 423.201

Section 6000 – Negotiations

6050 Recognition of Bargaining Units

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The Board shall not recognize by stipulation any bargaining unit within the District. All units desiring recognition by the Board shall do so through an election conducted by the Michigan Employees Relations Commission as provided by statute.

Approved: February 22, 2010
LEGAL REF: MCL 423.212-214

Section 6000 – Negotiations

6100 Board Negotiating Agents

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The Board shall appoint a member of the staff, or the Superintendent, or an outside consultant, to serve as chief negotiator in its negotiations with each employee group recognized under the Public Employment Relations Act.

The Board shall appoint other member(s) of the administrative staff to each negotiating team to assist and counsel the chief negotiator.

The appointed chief negotiator shall be fully empowered to reach a tentative agreement on collective bargaining agreements on behalf of the Board within the parameters established by the Board.

Approved: February 22, 2010
LEGAL REF: MCL 423.211

Section 6000 – Negotiations

6150 Superintendent's Role in Negotiations

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The Superintendent may serve as the chief negotiator for the Board at the discretion of the Board. If the Superintendent is not serving as the chief negotiator, he/she may serve as a negotiating team member or as a consultant to the negotiating team.

The Superintendent may serve as the liaison between the Board and the bargaining team and shall be responsible to keep the Board informed on the progress of negotiations.

The Superintendent shall arrange for the chief negotiator, if other than him/herself, to meet with the Board to develop negotiation goals and objectives, establish parameters and provide periodic updates on the progress of negotiations.

The chief negotiator shall be expected to maintain close communication with the Superintendent on the status of negotiations including proposals discussed or offered at the bargaining table.

Approved: February 22, 2010

Section 6000 – Negotiations

6200 Confidentiality of Negotiations Information

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Board members and administrators are to keep information regarding the progress, status, or issues involved in negotiations confidential unless authorized by a majority vote of the full Board to serve as a spokesperson to release information to the staff, media representatives, or the public. Unless otherwise determined by the Board, only the Superintendent is authorized to release negotiations information.

Board members violating this policy are subject to discipline by the Board that may include removal from a Board officer role, removal from committee assignments, and/or public censure.

Administrative staff members violating this policy are subject to discipline as determined by the Superintendent.

Approved: February 22, 2010

Section 6000 – Negotiations

6400 Contract Ratification

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Before the ratification of any negotiated master contract, the Superintendent shall conduct or direct a thorough proofreading of all substantive changes to the master contract.

The Superintendent shall forward the final draft of any substantive changes to the negotiated master contract, along with a front “summary sheet” outlining those contract articles that have been substantively changed, to each Board member not less than three (3) calendar days before the Board’s scheduled ratification meeting. Unless noted on the list of changes to the master agreement, or the summary sheet, the Board shall assume that other sections of the master contract remain unchanged, with the possible exception of non-substantive, minor spelling, grammatical, punctuation, or format corrections.

Approved: February 22, 2010

Section 6000 – Negotiations

6400-R Contract Ratification

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The proofreading of each negotiated master contract shall be under the supervision of the Superintendent. The draft copy of any negotiated master contract that is submitted to the Board prior to final ratification shall have the following conditions met:

1. The master contract draft shall contain all amendments, additions, and changes in wage rates indicated in “bold” lettering;
2. A letter shall accompany the draft document, which reflects a summary of any provisions deleted from the former negotiated master contract;
3. The master contract draft shall be accompanied by a letter from the recognized bargaining agent indicating the tentative negotiated master contract has been ratified, and that the master contract draft has been proofread by the agent and accurately reflects the terms of the tentative negotiated contract;
4. A copy of the recognized bargaining agent’s letter and the Superintendent’s letter to the Board, along with the final draft of the negotiated master contract shall be given to each Board member in the time frame as provided for in policy; and
5. The Superintendent shall prepare a written motion for the Board, which states as follows:

“It has been moved by _____ and supported by _____ that the Board of education moves to accept the amendments, additions, and deletions to the 20__ - 20__ master contract between the Board of education and _____ as presented in writing by the Superintendent.”