

## SECTION H: NEGOTIATIONS

Section H of the policy classification system provides a repository for statements pertaining to the process of negotiating with staff units recognized by the school board.

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Section approved 11.17.09.

## HA NEGOTIATIONS GOALS

The Minuteman Regional Vocational Technical School District School Committee recognizes that education is a public trust; it therefore is dedicated to providing the best possible educational opportunities for the young people of this community. In negotiations, this objective may be best attained if there is a climate of mutual trust and understanding between the negotiating parties.

The Committee believes that the best interests of public education will be served by establishing procedures that provide an orderly method for the School Committee and representatives of the staff to discuss matters of common concern.

It is further recognized that nothing in negotiations will compromise the School Committee's legal responsibilities nor will any employee's statutory rights and privileges be impaired.

**LEGAL REFS:** M.G.L. 71:16; 71:37; 150E  
Collective Bargaining Agreements with Staff

**ORIGINAL ADOPTION:**

**REVISION:**

**FIRST READING:** 9/22/09

**SECOND READING:** 10/20/09; 11/17/09

**ADOPTION:** 11/17/09

**REVIEW:**

**MINUTEMAN REGIONAL VOCATIONAL TECHNICAL SCHOOL DISTRICT**

**HB**  
**NEGOTIATIONS LEGAL STATUS**

The Minuteman Regional Vocational Technical School Committee shall comply with M.G.L.c. 150E which regulates collective bargaining with employee organizations.

**LEGAL REFS:** M.G.L. 71:16; 150E  
Collective Bargaining Agreement with Staff

**ORIGINAL ADOPTION:**  
**REVISION:**  
**FIRST READING:** 9/22/09  
**SECOND READING:** 10/20/09; 11/17/09  
**ADOPTION:** 11/17/09  
**REVIEW:**  
**MINUTEMAN REGIONAL VOCATIONAL TECHNICAL SCHOOL DISTRICT**

## HBA PROHIBITED PRACTICES

M.G.L.150E, secs. 10-15 describes those practices of a public employer, or an employee organization or their designated representative or agent, that constitute prohibited practices relating to the formation or maintenance of employee unions and collective bargaining. It is the policy of the Minuteman Regional Vocational Technical School Committee in its dealings with all employee organizations that it shall not engage in any action or conduct which would constitute a prohibited practice.

**LEGAL REFS:** M.G.L. 150E: 10-15

**ORIGINAL ADOPTION:**

**REVISION:**

**FIRST READING:** 9/22/09

**SECOND READING:** 10/20/09; 11/17/09

**ADOPTION:** 11/17/09

**REVIEW:**

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HC  
SCOPE OF NEGOTIATIONS

The Minuteman Regional Vocational Technical School Committee shall at all times bargain collectively in good faith with all lawful employee organizations with regard to wages, hours, standards of productivity and performance, and any other terms and conditions of employment.

**LEGAL REFS:** M.G.L. 71:16; 150E: 2,6

**ORIGINAL ADOPTION:**

**REVISION:**

**FIRST READING:** 9/22/09

**SECOND READING:** 10/20/09; 11/17/09

**ADOPTION:** 11/17/09

**REVIEW:**

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## HE SCHOOL COMMITTEE NEGOTIATING RIGHTS AND RESPONSIBILITIES

The Minuteman Regional Vocational Technical School Committee and the exclusive representative of the employee organization shall meet at reasonable times including meetings in advance of the budget-making process and shall negotiate in good faith with respect to wages, hours, standards of productivity and performance, and any other terms and conditions of employment. As to every matter not expressly covered by a collective bargaining agreement, and except as specifically modified by a specific provision of such agreement, the Committee retains exclusively to itself all rights, powers and responsibilities that it has or may hereafter be granted by law and may exercise same without such exercise being made the subject of a grievance or arbitration proceeding.

**LEGAL REFS:** M.G.L. 71:16, 150E:6

**ORIGINAL ADOPTION:**

**REVISION:**

**FIRST READING:** 9/22/09

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**HF**  
**SCHOOL COMMITTEE NEGOTIATING AGENTS**

Counsel for Collective Bargaining

The Minuteman Regional Vocational Technical School Committee, having all the powers and duties conferred by law on school committees, may, under provisions of the law, employ legal counsel in connection with collective bargaining with employee organizations for school employees.

**CROSS REF:**                   BCG

**LEGAL REFS:**                M.G.L. 71:37E

**ORIGINAL ADOPTION:**

**REVISION:**

**FIRST READING:** 9/22/09

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**ADOPTION:** 11/17/09

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## HG SUPERINTENDENT'S ROLE IN NEGOTIATIONS

The School Committee is responsible for negotiations with employee bargaining units.

The Superintendent shall be the primary resource to the Minuteman Regional Vocational Technical School Committee in all matters pertaining to collective bargaining and negotiations with staff. The Superintendent shall confer with the other school administrators to identify those areas of concern and issues that the administration determines should constitute proposals to be made during such negotiations. The Superintendent shall review all proposals to be made by the Committee to insure that they are relevant and appropriate; shall review the proposals submitted by all employee groups and staff; shall confer with the negotiation representative(s) for the Committee concerning strategies, methods, and substantive responses to be made during negotiation sessions; and shall attend or provide for the attendance of another appropriate administrator at all negotiation sessions.

The Superintendent shall meet with the School Principal to discuss the terms and conditions of his/her employment and may enter a written contract for employment with the Principal following M.G.L. Regulations.

**LEGAL REFS:**                    M.G.L. 71:16(1); 71:41; 71:59  
   Superintendent's Employment Agreement

**ORIGINAL ADOPTION:**

**REVISION:**

**FIRST READING:** 9/22/09

**SECOND READING:** 10/20/09; 11/17/09

**ADOPTION:** 11/17/09

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## HH EMPLOYEE NEGOTIATING ORGANIZATIONS

All eligible staff shall have the right to self-organization and the right to form, join or assist any employee organization for the purpose of bargaining collectively through representatives of their own choosing free from interference, restraint or coercion. The Labor Relations Commission shall prescribe rules and regulations and establish procedures for the determination of appropriate bargaining units. A staff member shall have the right to refrain from all organization activities, except for the payment of a service fee if such payment is prescribed by law and a bargaining agreement.

The Collective Bargaining Agreement prohibits any association representative from causing, condoning, encouraging, supporting or taking part in any strike, slow down or withholding of nonvoluntary services or any other interference with the operation of the school district.

**LEGAL REFS:** M.G.L. 150E:2; 150E:3; 150E:4; 150E:12; 180:17G  
Collective Bargaining Agreements with Staff

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**FIRST READING:** 9/22/09

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## HI PRIVILEGES OF STAFF NEGOTIATING ORGANIZATIONS

The exclusive representative shall have the right to act for and negotiate agreements covering all staff members in the unit and shall be responsible to represent the interests of all such employees without discrimination and without regard to employee organization membership. The exclusive representative shall have the right to be present at grievance conferences involving staff members.

The exclusive representative shall have the same access to School facilities as any other organization for the purpose of conducting its business.

The staff will not allow collective bargaining to interfere with teaching and learning and/or relationships with students.

**LEGAL REF:** M.G.L. 150E:5  
Teachers' Bargaining Agreement Article XII (Academic Freedom)

**ORIGINAL ADOPTION:**

**REVISION:**

**FIRST READING:** 9/22/09

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**ADOPTION:** 11/17/09

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## HMA RESOLUTION OF DISPUTES UNDER THE AGREEMENT

The Minuteman Regional Vocational Technical School Committee and any employee organization may include in any collective bargaining agreement a grievance procedure culminating in final and binding arbitration. In the absence of such grievance procedure, binding arbitration may be ordered by the Labor Relations Commission upon request of either party; provided that any such grievance procedure shall, whenever applicable, be exclusive and shall any other applicable grievance procedure provided by law, subject to the terms of M.G.L. 150E:8.

**LEGAL REFS:**                    M.G.L. 150E:5, 7, 8, 9  
   Collective Bargaining Agreements with Staff

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