



PERSONNEL – CERTIFICATED EMPLOYEES

BOARD POLICY – **CONCERTED ACTION, WORK STOPPAGE**

BP 4141.6

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

The County Superintendent 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 County 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 SBCEO 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 County Superintendent or designee shall notify the Public Employment Relations Board, Employment Development Department, employees in the striking unit, other SBCEO 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 SBCEO 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 SBCEO's efforts to rebuild relations following the withholding of services by employees.

However, the SBCEO 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 County Superintendent of Schools or designee to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

Management Resources

Public Employment Relations Board
Decision

Description

Konocti Unified School District, 1982, PERB Dec. No. 217, 6 PERC
13152

Public Employment Relations Board
Decision
Website
Website
Website

Fresno Unified School District, 1982, PERB Dec. No. 208, 6 PERC
13110
[State Mediation and Conciliation Service \(SMCS\)](#)
[CSBA](#)
[California Public Employment Relations Board](#)

State

Ed. Code 35204
Ed. Code 35205
Ed. Code 37200-37202
Gov. Code 3140-3142
Gov. Code 3540-3549.3
Gov. Code 3543.5-3543.6
Gov. Code 3548-3548.8

Description

Contract with attorney in private practice
Contract for legal services
School calendar
Public Employee Health Protection Act
Educational Employment Relations Act
Unfair labor practices
Impasse procedures

ADOPTED BY COUNTY BOARD:
REVISED:

February 2, 2023