

SECTION H: NEGOTIATIONS

Section H of the NEPN/NSBA classification system contains policies, regulations, and exhibits on the process of negotiating with bargaining units recognized by the school board and authorized under state law.

- HA Negotiations Goals/Priority Objectives
 - HAA Evaluation of Negotiations
- HB Negotiations Legal Status
- HC Scope of Negotiations
- HD Negotiation Methods and Procedures
- HE School Board Negotiating Rights and Responsibilities
 - HF School Board Negotiating Agents
- HG Superintendent's Role in Negotiations
- HH Employee Negotiating Organizations
- HI Rights and Responsibilities of Employee Negotiating Organizations
- HJ Payment of Negotiating Costs
 - HK Release of Negotiations Information
 - HKA Media Relations during Negotiations
- HL Preliminary Negotiated Agreement Disposition
- HM Announcement of Final Agreement
 - HN Negotiated Agreement Implementation
- HO Impasse Procedures
 - HOA Binding Arbitration
 - HP Employee Job Actions
 - HPA Employee Walkouts, Strikes, and Work-to-the-Rule
 - HQ Negotiated Amendments and Renegotiations Procedures

NEGOTIATIONS GOALS/PRIORITY OBJECTIVES

The Caesar Rodney School District Board of Education believes that all policies, plans, and regulations are directed toward the main goal of providing a quality education for each student in the District. The Board also believes that it is responsible to the residents of the District for the level of educational services that are provided by the employees of the District.

To this end, the Board recognizes the critical role that employee groups have in the educational process. All employees of the District are covered by one of two types of Agreements. The first is a Negotiated Agreement through collective bargaining as specified in the Delaware Code. The second type is Meet and Confer Agreements for employee groups not included in the collective bargaining process.

There are two Negotiated Agreements in effect for specific employee groups:

- The Agreement Between the Caesar Rodney Education Association and the Board of Education—This Agreement covers all teachers and instructional paraprofessionals.
- The Agreement Between the Caesar Rodney Support Association and the Board of Education—This Agreement covers all custodians.

There are four Meet and Confer Agreements in effect for specific employee groups:

- Administrators Meet and Confer Agreement—This Agreement covers all administrators, including directors, supervisors, principals, and assistant principals.
- Secretarial/Clerical Meet and Confer Agreement—This Agreement covers all secretaries and clerks.
- Maintenance Mechanics Meet and Confer Agreement—This Agreement covers all maintenance mechanics and skilled craftsmen.
- Food Service Meet and Confer Agreement—This Agreement covers all food service employees.

It is the intent of the Board to negotiate through its designated representatives with employee groups covered by both Negotiated Agreements and Meet and Confer Agreements in an open and fair manner. In addition, the Board authorizes the Superintendent or his/her designee to negotiate with employee groups that are covered by Meet and Confer Agreements. Once agreement has been reached, the Meet and Confer Agreements are presented to the Board of Education for approval.

Adopted: August 19, 2003

LEGAL REFS: 19 Del Code, Chapter 13

Caesar Rodney School District, Wyoming, Delaware

NEGOTIATIONS LEGAL STATUS

The Caesar Rodney School District Board of Education engages in negotiations with employee groups covered by collective bargaining agreements within the requirements of and limitations as specified in the Delaware Code. The Delaware Code specifies the process through which an employee group becomes certified as the exclusive representative of an employee group as well as the process leading to collective bargaining agreements. The Board is committed to negotiating in good faith with the authorized collective bargaining associations.

Employees not covered by negotiated agreements are covered under provisions of Meet and Confer Agreements. Although Meet and Confer Agreements are not collective bargaining agreements, the Superintendent or his/her designee is authorized by the Board of Education to negotiate in good faith on all matters relative to the working conditions and expectations of the employee groups covered by Meet and Confer Agreements. Once a Meet and Confer Agreement has been revised through dialogue between the Superintendent and the representatives of the particular employee group, the Agreement is presented to the Board for approval.

Adopted: August 19, 2003

LEGAL REFS: 19 Del Code, Chapter 13

Caesar Rodney School District, Wyoming, Delaware

SCOPE OF NEGOTIATIONS

Employees of the Caesar Rodney School District are included in designated employee representative groups according to the job classification of the employee. The Caesar Rodney School District Board of Education negotiates with the Caesar Rodney Education Association and the Caesar Rodney Support Association through the collective bargaining process.

All other employee groups are covered within applicable Meet and Confer agreements. The representatives of these employee groups meet as needed to discuss appropriate needs and working conditions with the Superintendent or his/her designee. Each of the following employee groups have their own Meet and Confer Agreement which stipulates employment and working conditions: administrators, secretaries/clerks, maintenance mechanics, and food service employees.

Adopted: August 19, 2003

LEGAL REFS:

19 Del Code, Chapter 13

Agreement Between the Board of Education and the Caesar Rodney Education Association

Agreement Between the Board of Education and the Caesar Rodney Support Association

Administrators Meet and Confer Agreement

Secretarial/Clerical Meet and Confer Agreement

Maintenance Mechanics Meet and Confer Agreement

Food Service Meet and Confer Agreement

Caesar Rodney School District, Wyoming, Delaware

NEGOTIATION METHODS AND PROCEDURES

The Caesar Rodney School District Board of Education maintains ratified collective bargaining agreements with the associations recognized as the exclusive representatives of their employee groups. The Board maintains Meet and Confer agreements with other employee groups through the Superintendent and its representative.

Since the associations and employee groups have the authority to represent all their members fully and equally without discrimination in all areas necessary in the administration of the agreements, the agreements constitute Board policy for the terms of said agreements. The Board, through the Superintendent, shall carry out the commitments contained in the agreements. No additional negotiations on language items in an agreement will be conducted except by mutual consent.

Adopted: August 19, 2003

LEGAL REFS:

19 Del Code, Chapter 13

Agreement Between the Board of Education and the Caesar Rodney Education Association

Agreement Between the Board of Education and the Caesar Rodney Support Association

Administrators Meet and Confer Agreement

Secretarial/Clerical Meet and Confer Agreement

Maintenance Mechanics Meet and Confer Agreement

Food Service Meet and Confer Agreement

Caesar Rodney School District, Wyoming, Delaware

SCHOOL BOARD NEGOTIATING RIGHTS AND RESPONSIBILITIES

The Caesar Rodney School District Board of Education reserves and retains full rights, authority, and discretion in the proper discharge of its duties and responsibilities to control, supervise, and manage the District's schools under applicable law, rules, and procedures.

The Board will negotiate, through its designated representatives, with representatives of all employee groups in the District. The Board will negotiate in order to reach agreements that are consistent with the Delaware Code and in the best interest of students and staff.

Adopted: August 19, 2003

LEGAL REFS:

19 Del Code, Chapter 13

Agreement Between the Board of Education and the Caesar Rodney Education Association

Agreement Between the Board of Education and the Caesar Rodney Support Association

Administrators Meet and Confer Agreement

Secretarial/Clerical Meet and Confer Agreement

Maintenance Mechanics Meet and Confer Agreement

Food Service Meet and Confer Agreement

Caesar Rodney School District, Wyoming, Delaware

SUPERINTENDENT'S ROLE IN NEGOTIATIONS

The Superintendent of the Caesar Rodney School District will provide information, counsel, and direction to the Caesar Rodney School District Board of Education and the District negotiating teams as a necessary function of all collective bargaining negotiations. Once the terms and conditions of any collective bargaining Agreements have been negotiated, the Superintendent forwards the proposed Agreement to the Board for ratification.

The Superintendent or his/her designee serves as the negotiator in all revisions of Meet and Confer Agreements. Once the terms of conditions of Meet and Confer Agreements have been negotiated, the Superintendent forwards the proposed revisions to the Board for approval.

Adopted: August 19, 2003

LEGAL REFS:
19 Del Code, Chapter 13

Caesar Rodney School District, Wyoming, Delaware

EMPLOYEE NEGOTIATING ORGANIZATIONS

The Caesar Rodney School District Board of Education recognizes the following as representing the employees of the District:

- Caesar Rodney Education Association: Exclusive and sole representative for collective bargaining for all certificated professional employees and paraprofessionals employed by the District. This does not pertain to administrators.
- Caesar Rodney Support Association: Exclusive and sole representative for collective bargaining for all custodians, custodian firemen, and chief custodians.
- Meet and Confer Employee Groups: Exclusive and sole representatives for all administrators, secretaries, maintenance mechanics, and food service employees.

The rights and privileges granted to the Associations shall not be granted to any other organization attempting to secure negotiation rights for employees unless and until such organization has petitioned for recognition under Chapter 40, Title 14 of the Delaware Code.

Adopted: August 19, 2003

LEG REFS:

14 Del Code, Chapter 40

Agreement Between the Board of Education and the Caesar Rodney Education Association

Agreement Between the Board of Education and the Caesar Rodney Support Association

Administrators Meet and Confer Agreement

Secretarial/Clerical Meet and Confer Agreement

Maintenance Mechanics Meet and Confer Agreement

Food Service Meet and Confer Agreement

Caesar Rodney School District, Wyoming, Delaware

RIGHTS AND RESPONSIBILITIES OF EMPLOYEE NEGOTIATING ORGANIZATIONS

The Caesar Rodney School District Board of Education recognizes the need and responsibility to establish reasonable regulations on the right of access by employee organizations to those they represent. In the collective bargaining process, it is expected that those representing their Associations do so in a professional, ethical manner and that the bargaining be conducted in good faith and in the best interests of students and staff.

In the Meet and Confer process, the Board also expects the representatives of the various employee groups to present their needs and requests in a professional and ethical manner. The dialogue pertaining to revisions of their agreements is to be conducted in good faith and in the best interests of students and staff.

Adopted: August 19, 2003

LEG REFS:

14 Del Code, Chapter 40

19 Del Code, Chapter 13

Agreement Between the Board of Education and the Caesar Rodney Education Association

Agreement Between the Board of Education and the Caesar Rodney Support Association

Administrators Meet and Confer Agreement

Secretarial/Clerical Meet and Confer Agreement

Maintenance Mechanics Meet and Confer Agreement

Food Service Meet and Confer Agreement

Caesar Rodney School District, Wyoming, Delaware

PAYMENT OF NEGOTIATING COSTS

The Caesar Rodney School District Board of Education recognizes that any expenses associated with the collective bargaining negotiating process will be regulated according to the Delaware Code and the applicable negotiated agreements. Any expense not covered under those provisions will be mutually agreed to and borne equally by the Board and the employee organizations involved with the negotiated agreement.

There are no specified costs associated with the Meet and Confer process.

Adopted: August 19, 2003

LEG REFS:

14 Del Code, Chapter 40

19 Del Code, Chapter 13

Agreement Between the Board of Education and the Caesar Rodney Education Association

Agreement Between the Board of Education and the Caesar Rodney Support Association

Caesar Rodney School District, Wyoming, Delaware

PRELIMINARY NEGOTIATED AGREEMENT DISPOSITION

The Caesar Rodney School District Board of Education negotiating team will report progress of negotiations with the Caesar Rodney Education Association or the Caesar Rodney Support Association to the Board as needed or on request. When a preliminary agreement between the Board negotiation team and either association is reached, it will be reviewed by the Superintendent and submitted to the Board for approval.

Any Meet and Confer Agreement under revision will first be reviewed by the Superintendent and then submitted to the Board for approval.

Adopted: September 16, 2003

LEGAL REFS:

14 Del Code, Chapter 40

19 Del Code, Chapter 13

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Food Service Meet and Confer Agreement

Caesar Rodney School District, Wyoming, Delaware

ANNOUNCEMENT OF FINAL AGREEMENT

When the language and terms of a Negotiated Agreement or Meet and Confer Agreement have been finalized by representatives of the Caesar Rodney School District Board of Education and the employee group representatives, the agreement will be reduced to writing. Once the agreement has been ratified or approved by the pertinent employee groups and the Board and signed by all parties, the ratified or approved agreement becomes an official record of the Board.

The terms and conditions of the agreement will, in effect, become Board policy and will represent the full and complete understanding and contract concerning the terms and conditions of employment between the parties.

The Board will make the final agreement a matter of public record.

Adopted: August 19, 2003

LEGAL REFS:

14 Del Code, Chapter 40

19 Del Code, Chapter 13

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Agreement Between the Board of Education and the Caesar Rodney Support Association

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Secretarial/Clerical Meet and Confer Agreement

Maintenance Mechanics Meet and Confer Agreement

Food Service Meet and Confer Agreement

Caesar Rodney School District, Wyoming, Delaware

IMPASSE PROCEDURES

When it has been determined by either party that an impasse has been reached in negotiations between the Caesar Rodney School District Board of Education and the collective bargaining unit of the Caesar Rodney Education Association or the Caesar Rodney Support Association, the procedures set forth in the Delaware Code or the specific Negotiated Agreement will be followed.

Meet and Confer Agreements are not subject to impasse since the Agreements are in force until the terms and conditions being considered for revision are resolved by discussion with the Superintendent and representatives of those respective employee groups.

Adopted: August 19, 2003

LEG REFS:

14 Del Code, Chapter 40

19 Del Code, Chapter 13

Agreement Between the Board of Education and the Caesar Rodney Education Association

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Maintenance Mechanics Meet and Confer Agreement

Food Service Meet and Confer Agreement

Caesar Rodney School District, Wyoming, Delaware