

# Santa Barbara Unified School District

## Board Policy

**BP 4141.6**  
**4241.6**

### **Certificated and Classified Personnel**

#### **CONCERTED ACTION/WORK STOPPAGE**

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 does not disrupt school operations or impact student achievement.

*(cf. 4141/4241 - Collective Bargaining Agreement)*  
*(cf. 4143/4243 - Negotiations/Consultation)*

The Board recognizes that advance planning is necessary to ensure that students receive the education to which they are entitled in the event of a work slowdown, sickout, strike, or other concerted activity by employees. 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.

*(cf. 0450 - Comprehensive Safety Plan)*  
*(cf. 1100 - Communications with the Public)*  
*(cf. 1112 - Media Relations)*  
*(cf. 9000 - Role of the Board)*

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, employees in the nonstriking unit, 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.

*(cf. 4118 - Suspension/Disciplinary Action)*  
*(cf. 4119.25/4219.25/4319.25 - Political Activities of Employees)*  
*(cf. 4218 - Suspension/Disciplinary Action)*

#### *Legal Reference:*

##### EDUCATION CODE

35204            *Contract with attorney in private practice*

35205            *Contract for legal services*

37200-37202    *Instructional days*

##### GOVERNMENT CODE

3540-3549.3 *Educational Employment Relations Act, especially:*  
3543.5-3543.6 *Unfair labor practices*  
3548-3548.8 *Impasse procedures*

INSURANCE CODE

10116 *Employee continuation of insurance coverage*

UNITED STATES CODE, TITLE 29

1161-1169 *Continuation coverage and additional standards for group health plan*

PUBLIC EMPLOYMENT RELATIONS BOARD DECISIONS

Fresno Unified School District, 1982, PERB Dec. No. 208, 6 PERC 13110

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

*Management Resources:*

CSBA PUBLICATIONS

Collective Bargaining DVD-ROM

Maximizing School Board Governance: Collective Bargaining

Political Activities of School Districts: Legal Issues, rev. 2001

Before the Strike: Planning Ahead in Difficult Negotiations, 1996

WEB SITES

CSBA: <http://www.csba.org>

Public Employment Relations Board: <http://www.perb.ca.gov>

State Mediation and Conciliation Service (SMCS): <http://www.dir.ca.gov/csmcs/smcs.html>

SANTA BARBARA UNIFIED SCHOOL DISTRICT  
Santa Barbara, California      January 26, 2010