SECTION H

NEGOTIATIONS

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File: HA - NEGOTIATIONS GOALS

The School Committee recognizes that education is a public trust; it therefore is dedicated to providing the best possible educational opportunities for the students 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 School Committee believes that the best interests of public education will be served by establishing procedures that provide an orderly method for the School Committee, or its representatives, 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 REF: M.G.L. 150E

SOURCE: MASC - uPDATED 2022

Approved by Sudbury School Committee: October 2, 2023

File: HB - NEGOTIATIONS LEGAL STATUS

All negotiations between the School Committee and recognized employee groups are conducted subject to Massachusetts General Laws. The legal status of negotiations is defined in part by Section 1 of that chapter, as follows:

> " In the case of school employees, the municipal employer shall be represented by the School Committee or its designated representative or representatives."

Basic to all employer/employee negotiations is the concept of "bargaining in good faith." It is the legal responsibility of both the School Committee and employee organizations to bargain in good faith as they conduct negotiations. However, such obligation does not compel either party to agree to a proposal or make a concession.

SOURCE: MASC - Updated 2022

LEGAL REF.: M.G.L. 150E:1 et seq.

Approved by Sudbury School Committee: October 2, 2023

File: HF - SCHOOL COMMITTEE NEGOTIATING AGENTS

The School Committee is responsible for negotiations with recognized employee bargaining units. However, because of the expertise and time required for negotiations, the Committee may hire a negotiator to bargain in good faith with recognized bargaining units to help assure that mutually satisfactory agreements on wages, hours, and other terms and conditions of employment will be developed.

The School Committee will appoint the negotiator and the fee or salary for their services will be established in accordance with the law at the time of appointment.

The duties of the negotiator will be as follows:

1. To negotiate in good faith with recognized bargaining units to arrive at a mutually satisfactory agreement on wages, hours, working conditions of employees, and all other mandated subjects of bargaining, represented by the units.

    a. The negotiator may recommend members of the administration to serve on the negotiation team. They will not be members of any unit that negotiates with the Committee, and their participation in negotiations must be recommended by the Superintendent and approved by the Committee.

    b. They will direct accumulation of necessary data needed for negotiations, such as comparative information.

    c. They will follow guidelines set forth by the Committee as to acceptable agreements and will regularly report on the progress of negotiations in a properly posted executive session.

    d. They will make recommendations to the Committee as to acceptable agreements.

2. The negotiator will interpret the signed negotiated contracts to administrators and may be called upon to offer advice on various aspects of contract administration during the terms of the contracts with employee organizations.

SOURCE: MASC - Updated 2022

LEGAL REF.: M.G.L. 71:37E

Approved by Sudbury School Committee: October 2, 2023