

Section H

Negotiations

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NEGOTIATIONS GOALS

The Ware School Committee recognizes that education is a public trust; it therefore is dedicated to providing the best possible education 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 Ware School Committee believes that the best interests of public education will be served by establishing procedures that provide an orderly method for the Ware School Committee and representatives of the staff to discuss matters of common concern.

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

NEGOTIATIONS LEGAL STATUS

All negotiations between the Ware School Committee and collective bargaining units are conducted subject to Chapter 150E of the Massachusetts General Laws. The legal status of negotiations is defined in part by Section 2 of that chapter, as follows:

Employees shall have the right of self-organizations and the right to form, join, or assist any employee organization for the purpose of bargaining collectively through representatives of their own choosing on questions of wages, hours, and other terms and conditions of employment, and to engage in lawful, concerted activities for the purpose of collective bargaining or other mutual aid or protection, free from interference, restraint, or coercion. An employee shall have the right to refrain from any or all of such activities, except to the extent of making such payment of service fees to an exclusive representative as provided in section twelve.

Basic to all employer/employee negotiations is the concept of "bargaining in good faith." It is the legal responsibility of both the Ware 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.

Established by law
LEGAL REF.:

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

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SCHOOL COMMITTEE NEGOTIATING AGENTS

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

The Ware School Committee will appoint the negotiator, and the fee or salary for his/her 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, and working conditions of employees 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 Ware School Committee, and their participation in negotiations must be recommended by the Superintendent and approved by the Ware School Committee.
 - b. He/she will direct accumulation of necessary data needed for negotiations, such as comparative information.
 - c. He/she will follow guidelines set forth by the Ware School Committee as to acceptable agreements and will report on the progress of negotiations.
 - d. He/she will make recommendations to the Ware School 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.

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

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