

## **P4057 STRIKES BY EMPLOYEES**

### **BOARD POLICY:**

**The Superintendent of Schools, in consultation with the President of the Board of Education and the Board legal counsel, is hereby authorized to declare the existence of a strike. Any Board policy, any administrative implemental procedure, rule, regulation, or any provision of an employment agreement which is determined by the administration to prevent or impede the successful operation of the educational program shall be null and void for the duration of the strike. However, nothing in this policy shall be construed to prevent the Board from seeking damages from any party or taking any other legal or administrative action it deems appropriate. In case of a strike, the following administrative implemental procedures shall take immediate effect.**

#### Administrative Implemental Procedures:

1. The Clerk of the Board is directed to convene a special meeting of the Board at the earliest practicable time to confirm the Superintendent's declaration of the existence of a strike and to consider any desirable legal actions.
2. The term *strike* as used herein shall refer to any action taken for the purpose of coercing a change in the terms and conditions of employment or the rights, privileges or obligations thereof, through any failure by concerted action with others to report for duty including but not limited to any work stoppage, slow down, or refusal to work.
3. The term *condone* as used herein shall refer to instigating, promoting, encouraging, sponsoring, threatening, engaging in, authorizing, aiding, or supporting a strike.
4. Any employee determined by the administration to be absent without a valid reason as provided in this policy will be deemed to be on strike.
5. Absence for personal illness, injury, or incapacitation must be verified by a physician as often as the administration deems appropriate.
6. All temporary leaves, both chargeable and nonchargeable, other than for personal illness, injury, or incapacitation, will be canceled and none shall be approved for the duration of the strike except by the Superintendent in writing.
7. Striking shall be considered grounds for termination and the administration is directed to begin implementing the necessary procedures for terminating the employment of all striking employees. The date for termination shall be the date the employee went on strike and no salary or benefits, other than those required by law, shall be paid or provided by the Board after such date.
8. Any employee who engages in any action designed to aid or abet the strike, as determined by the administration, shall be considered to be on strike.
9. Any act of insubordination shall be considered grounds for termination.

10. Any rights which employees have to inspect their personnel files shall be suspended for the duration of the strike.
11. The grievance procedure shall be suspended for the duration of the strike.
12. Any employee on strike shall be prohibited from being on any Board property except by prior written consent from the administration.
13. If the exclusive representative of any bargaining unit or any of its officers strike or condone a strike or if that exclusive representative fails to take affirmative action to end the strike, publicly, immediately, and throughout the period of the strike, then the administration shall immediately discontinue the deduction of monies for remittance to that organization.
14. The Clerk of the Board is directed to convene additional special meetings of the Board to take further actions as conditions warrant.

Administrative Responsibility: Human Resources

Latest Revision Date: July 1994

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