

ARTICLE XIV

COLLECTIVE BARGAINING

101400. COLLECTIVE BARGAINING PUBLIC NOTICE PROCEDURE

101400.10 Presentation of Initial Proposals. The initial collective bargaining proposal procedure is begun by a request from either a certified exclusive representative of a unit of District employees or the District to present an initial proposal to the Board of Trustees. When a request is received, the following actions must be taken at public meetings of the Board of Trustees:

- a. The exclusive representative or the District must present an initial collective bargaining proposal in writing or orally to the Board of Trustees at a public meeting.
- b. The public shall have an opportunity to respond to the exclusive representative's or District's initial proposal at a subsequent public Board meeting. The public response shall be indicated on the Board meeting agenda, and shall be taken in accordance with Paragraph 101400.14 below and Board Rule 2501.11e.

Adopted 08-22-84
Amended 02-16-00

- c. After the public has had a reasonable opportunity to respond to the District's initial proposal, the Board of Trustees shall adopt the District's initial proposal at a public meeting. The adoption shall be indicated as an action item on the Board agenda. There shall be no amendment of the District's initial proposal unless the public is first afforded a reasonable opportunity to respond to the proposed amendment at a public meeting. An initial proposal may be adopted by the Board subject to later amendment. Neither the Board nor its representatives will engage in negotiations on an initial proposal/amendment until the proposal/amendment is adopted by the Board at public meeting.

Adopted 08-22-84

101400.11 New Subjects of Meeting and Negotiating. If new subjects of meeting and negotiating arise after the presentation of the initial proposals, the following procedure shall be followed:

- a. All new subjects of meeting and negotiating, whether proposed by the exclusive representative or the District, shall be posted by the District on the Board Room bulletin board on the first floor of the District's Educational Services Center within twenty-four (24) hours after their presentation in negotiations.
- b. If the Board of Trustees' votes on any new subject of meeting and negotiating proposed by the District, the vote shall be made public.

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- 1) If the vote is taken during a public meeting of the Board of Trustees, the vote shall be recorded in the minutes of the Board and thereafter shall be a public record, or
- 2) If the vote is taken during closed session, the vote shall be recorded on the posted notice of the new item, and shall remain posted for a minimum of twenty-four (24) hours.

c. The Board of Trustees may, at its discretion, require that any new subject of meeting and negotiating proposed by the District be presented at a public meeting to afford the public an opportunity to respond.

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101400.12 Reopener to an Executed Collective Bargaining Agreement. When a request to reopen a collective bargaining agreement, as required by the agreement, is received from an exclusive representative or is made by the District, the public notice procedure outlined in 101400.10 shall be followed.

Adopted 08-22-84

101400.13 Amendment to an Executed Collective Bargaining Agreement. When the District and the exclusive representative agree to amend an executed collective bargaining agreement in accordance with the agreement, the following procedure shall be followed before the Board of Trustees approves said amendment:

- a. The amendment shall appear on the agenda as a noticed motion for action at a subsequent Board meeting.
- b. The public shall have an opportunity to respond to the amendment at a subsequent Board meeting. The public response shall be indicated on the Board agenda and shall be taken in accordance with Paragraph 101400.14 below.
- c. The Board of Trustees may, at its discretion, require that any amendment to an executed collective bargaining agreement proposed by the District be presented at a public meeting to afford the public an opportunity to respond.

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Amended 02-16-00

101400.14 Public Response. Public response, as provided for by Paragraph 101400.10b above shall be taken in accordance with Board Rule 2501.11 which addresses Agenda and Public Agenda Speakers.

- a. Persons who wish to address the Board on a collective bargaining proposal shall present a request to the Chancellor as Secretary of the Board or designee giving a name, address and telephone number by 10:00 a.m. on the day of the Board meeting. The request shall include the name of the organization or group represented, if any, and shall inform the Chancellor or designee that the statement relates to a collective bargaining proposal on the Board's agenda.
- b. Twenty (20) minutes shall be the maximum time allotment for public comment on collective bargaining proposals regardless of the number of speakers. At the discretion of a majority to extend the time, the time may be extended. If there is not a majority vote to extend the time, the twenty (20) minutes maximum rule will apply.
- c. The general rules of decorum contained in Board Rules 2501 and 2502 shall apply at all times.
- d. New subjects or meeting and negotiating, or amendments or reopeners to an existing agreement, which have been processed in accordance with the provisions of Paragraph 101400.11, 101400.12 or 101400.13 above, may be the subject of a nonagenda item addressed by a member of the public in accordance with the Board Rules.

Adopted 08-22-84
Amended 02-16-00

101400.15 Information Available to the Public.

Information regarding collective bargaining proposals shall be made available to the public in accordance with Government Code Sections 3540 et seq. and Government Code Sections 6250 et seq.

- a. The District's initial collective bargaining proposals, new subject of bargaining, proposed amendments or reopeners to executed collective bargaining contracts, shall be public records. Copies of any District proposal shall be available at the public meeting when it is presented to the Board as an informative item. Thereafter, interested persons may obtain copies from the Office of Employer-Employee Relations. In addition, copies of any District proposals shall be available for inspection at any public meeting where the initial proposal is presented to the Board as an action item.
- b. Initial collective bargaining proposals, new subjects of bargaining and proposed amendments or reopeners to executed collective bargaining contracts offered by an exclusive representative shall be public records. One copy of each proposal, new subject, proposed amendment or reopener shall be posted on a central bulletin board in the District Office. Interested persons may obtain copies from the Office of Employer-Employee Relations.

Adopted 08-22-84

101400.16 Complaints. Individuals and/or groups wishing to lodge charges or complaints regarding alleged violations of this procedure by District employees may do so in accordance with the Board's rules and regulations regarding complaints contained in Board Rule 2501.10. Such allegations shall be referred to the Office of the Vice Chancellor of the Division of Human Resources.

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Amended 02-16-00