

Meet and Confer Policies

Section H

Subsection 8000

Lake Arthur Municipal Schools
Board of Education Policy Manual

Section H Subsection 8000
Meet And Confer Policies

DESCRIPTION
Meet and Confer Policies

Section H Subsection 8000 contains the collective bargaining policies for district employees.

Conditions established by negotiated agreements are considered policy and supercedes board policy where it applies in the operation of the district.

Adopted	Revised
January, 2006	June, 2008

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Adopted	Revised
January, 2006	June, 2008
	March, 2018

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H8000 NEGOTIATION – LEGAL STATUS

Pursuant to the New Mexico Public Employee Bargaining Act, the Lake Arthur Municipal Schools' Board of Education hereby recognizes the NEA-Lake Arthur as a bargaining unit.

The employees included in this bargaining unit include:

- All certificated employees including teachers, diagnosticians, librarians, counselors, nurses, therapists, interpreters, pathologists excluding the following:
 - Non-licensed supervisory employees
 - Non-licensed managerial employees
 - The following confidential employees
 - * Administrative Secretary
 - * Business Manager
 - * Bookkeepers
 - * Supervisors
 - * Managers
- All classified employees excluding the following:
 - Technology Supervisor

All employees excluded from the bargaining units shall be covered by policies as adopted by the Lake Arthur Municipal Schools' Board of Education as shall all other employees where there is no collective bargaining agreement conflicting with the adopted policy or policies.

Cross Ref.:

Legal Ref.

First Reading	Adopted	Revised
March 13, 2018	April 10, 2018	

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H8001 NEGOTIATION PROCEDURES

All Board of Education Policies will remain in effect until an agreement is finalized through collective bargaining procedures.

An agreement shall remain in full force and in effect until mutually changed by the parties.

Either party may request to open any/all provisions of an Agreement by 1 April of each school year.

The parties shall meet at mutually acceptable times and locations, to be at least once a week.

All sessions shall be closed.

Each party may have up to four (4) team members, with one being designated as lead negotiator.

If the parties fail to reach an agreement by an agreed on time, or either party declares an impasse, either party may request mediation services from the Federal Mediation and Conciliation Service (FMCS). The party requesting mediation services shall bear the costs of an arbitrator and the arbitrator's related costs conducted pursuant to the subsection of the agreement under consideration by collective bargaining process.

A mediator from FMCS shall be assigned to assist in negotiations unless the parties agree to another mediator. The mediator shall provide services to the parties until the parties reach agreement or the mediator believes the mediation services are no longer helpful or until thirty (30) calendar days to start from the date when the mediator is assigned to the parties.

The arbitrator may issue a non-binding written decision for consideration by the recognized parties of the collective bargaining process.

If employees under this policy elect not to pursue the collective bargaining process, by notification of the district of that request, Lake Arthur Municipal Schools' administration will continue to conduct the business of the district within the boundaries of federal and state statutes and regulations and by all Lake Arthur Municipal Schools' Board of Education policies to effectively supervise, manage and operate Lake Arthur Municipal Schools.

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H8001 NEGOTIATION PROCEDURES

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Legal Ref.

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H8002 NEGOTIATION MEET AND CONFER ORGANIZATIONS

The collective bargaining unit may be provided upon written request the following budget information at the time that it is submitted to the Lake Arthur Municipal Schools' Board of Education or the Public Education Department. This information may be provided through electronic means.

- A copy of the tentative/proposed operational budget including all worksheets and salary schedules.
- A copy of the final operational budget including all worksheets and salary schedules.
- A copy of the forty (40), eighty (80) and one hundred twenty (120) day student counts.

The NEA-Lake Arthur Schools' building representative is recognized as a NEA-Lake Arthur Schools' leader in the respective work site. This recognition carries with it the right of the representative to carry out the NEA-Lake Arthur Schools' responsibilities on non-duty/non-work time. As long as they do not interfere with the educational process in the school, the delivery of services, or the performance of the employee job duties.

The NEA-Lake Arthur Schools' building representative may distribute NEA materials and conduct NEA-Lake Arthur Schools business related to a grievance or other representation on non-duty/non-work time, as long as they do not interfere with the educational process in the school, the delivery of services, or the performance of the employee job duties.

The NEA-Lake Arthur Schools' building representative shall have the right to bring to the attention of the work site supervisor or principal all matters pertaining to the organizational and representative rights of the NEA-Lake Arthur Schools and other concerns of the employees.

NEA officials and/or representatives who are not District employees shall have the right to visit worksites for the purpose of conducting representational business provided the visit does not interfere with the duty schedule of the employees involved and does not disrupt the instruction of students. Prior written notice is to be given to the work site supervisor or principal. The visitor shall be provided with a visitor's pass while in the building. Visitors must follow visitor procedures with a visitor's pass while in the building. Visitors must follow visitor procedures at the site and the NEA officials or representatives may only meet with an employee during non-work time and in non-work areas.

The NEA-Lake Arthur Schools may use meeting areas in District buildings in the same manner as allowed to other entities provided advanced scheduling has been made with the District and provided such meetings do not interfere with the instructional schedule or conflict with the scheduled events as determined by the principal.

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H8002 NEGOTIATION MEET AND CONFER ORGANIZATIONS

If any part or application of a Lake Arthur Municipal Schools' Labor Management Policy is held invalid, the remainder or its application to other situations or persons shall not be affected.

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