

## **SECTION H – NEGOTIATIONS**

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## **Primero RE-2 Board Policies Primero RE-2 School District • Weston, Colorado**

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### **H: Negotiations**

The Primero RE-2 School District does not have in place any policies dealing with negotiations or collective bargaining between staff and the administration.

Adopted: October, 1998

Revised: June, 2001

LEGAL REF. C.R.S. 22-32-109.4 (3)

## Primero RE-2 Board Policies Primero RE-2 School District • Weston, Colorado

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### **HA: Negotiations Goals/Priority Objectives**

The Board may engage in contractual relationships with appropriate employee groups as well as with individual professional staff members.

The term "negotiations" generally refers to any discussion between two or more parties for the purpose of settling some matter or otherwise reaching agreement. For the purpose of this policy, however, "negotiations" is defined as bilateral bargaining, i.e., formal discussions between two parties for reaching agreement. Such negotiations are one legitimate way for staff members, among other members of the educational community, to be involved in the decision-making processes that affect them.

The Board will negotiate in good faith on appropriate concerns, preferably in a collaborative, interest-based bargaining method. It will deal with staff negotiating units openly and fairly, and will sincerely endeavor to reach agreement on items being negotiated, that are proper for negotiation. Nothing in negotiations shall abridge the Board's legal responsibilities nor will any staff member's rights and privileges under state statutes be impaired.

It is the intent of the Board to utilize negotiation procedures which achieve the following goals:

1. To assure employees that they will receive a thorough study of their proposals as well as full consideration in reaching decisions related thereto;
2. To provide an orderly means for resolving disputes; and
3. To meet all legal requirements of the state statutes.

Adopted: December 18, 2007

## Primero RE-2 Board Policies Primero RE-2 School District • Weston, Colorado

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### HC: Scope of Negotiations

The Board, as the duly constituted representative of the people and as the agent of the State, is legally responsible for the conduct of public education in this District. The legal responsibilities of the Board include, but are not limited to:

1. All matters relating to the management of the schools and its administration;
2. The employment and direction of staff;
3. The determination of the District program of instruction;
4. The safety and education of all pupils of the District;
5. The determination of standards, assessments and qualifications;
6. The determination of the goals and policies of the District; and
7. The determination, implementation, and continuation of the District's functions, especially in an emergency.

Any agreements reached through this process shall not impair any of the Board's legal responsibilities which may be constitutional, common-law, statutory or traditional duties or responsibilities of the Board to organize or manage its structure, perform its functions or operations or determine its policy. These sole and exclusive duties shall not be abridged. Accordingly, if any provision of an agreement reached through the negotiations process or any application or such an agreement shall be found contrary to law, such provision or application shall have effect only to the extent permitted by law.

The Board desires, however, to establish procedures which will involve representatives of various employee groups in a collaborative, interest-based negotiations process in those areas which are of direct concern to the employees of such groups. Therefore, it is the policy of this Board that it shall meet with representatives of those employee organizations which it has determined are representing the majority of employees in certain school district groups or units of employees and shall negotiate for the purpose of reaching agreements which are consistent with law.

Adopted: December 18, 2007

LEGAL REFS: C.R.S. 22-7-102; C.R.S. 22-32-109, 110; C.R.S. 22-44-103, 105

**HH: Employee Negotiating Organizations**

It is the policy of the Board to conduct negotiations with non-administrative classified and non-administrative licensed employees.

Employees shall have the right to self-organization, to form, join or assist organizations and to meet and confer through representatives of their own choosing in order to present recommendations to the Board. Employees also shall have the right to refrain from any or all such activities.

Following a certification election, which shall be verified to the Business Manager through the number of employees seeking union dues payroll deduction prior to negotiations, it is the Board's policy to exclusively recognize organizations which represent the majority of employees in certain groups or non-administrative units of employees of this district and to be represented in negotiating meetings by a team representing the Board. Regulations adopted by the Board will continue to provide opportunities for the employees in each group or unit to request a determination of which organization represents the majority of the employees in the respective groups or units of employees.

The granting of these rights to employees shall in no way be construed to diminish or impair the rights, powers, and discretion of the Board and administration vested in them under the laws of Colorado. Except as specifically provided in policy, the rights, powers, and duties of the administration to manage and administer the affairs of the district shall remain unaltered.

Adopted: December 18, 2007

LEGAL REFS: C.R.S. 22-7-102; C.R.S. 22-32-109, 110; C.R.S. 22-44-103, 105