

NEGOTIATIONS GOALS

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

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

Policy adopted: 3-24-08

NEGOTIATIONS LEGAL STATUS

All negotiations between the Foxborough School Committee and recognized employee groups 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-organization 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 Foxborough 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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CONTRACT ADMINISTRATION

It is recognized that the prime purpose of the Foxborough School Committee and the employees represented by a bargaining union is to provide education and services of the highest possible quality for the students of Foxborough, and that good morale within the Foxborough school system is essential to the achievement of that purpose.

The Foxborough School Committee is a public body established under and with powers provided by the laws of the Commonwealth of Massachusetts and nothing in any collective bargaining agreement shall be deemed to derogate from or impair any power, right or duty conferred upon the Foxborough School Committee by law or any rule or regulation of any agency of the Commonwealth. The Foxborough School Committee retains all the powers, rights, and duties that it has by law and may exercise the same at its discretion.

The Foxborough School Committee has the responsibility for establishing policies for the administration and management of the schools.

The Superintendent of Schools has the responsibility for implementing the policies so established.

The said employees have responsibility for providing education and services of the highest possible quality.

Fulfillment of these respective responsibilities can be facilitated and supported by consultations and the free exchange of views and information among the Foxborough School Committee, the Superintendent and said employees in the formulation and application of policies relating to wages, hours, and other conditions of employment.

The Foxborough School Committee is committed to conducting contract negotiations in good faith and expects the same from the Foxborough Education Association.

The Foxborough School Committee holds the administration, under the direction of the Superintendent of Schools, responsible for insuring that no action(s) on the part of individuals or groups of employees take place which would detract from providing education and services of the highest possible quality. If, in the opinion of the Superintendent, the actions of employees make the fulfillment of this responsibility impossible, he/she shall direct the closing of all schools until an agreement can be reached between the Association and the Foxborough School Committee which will allow for the proper conduct of the educational process.

The Foxborough School Committee further directs the Superintendent of Schools to develop written procedures to insure the orderly administration of this policy.

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SCHOOL COMMITTEE NEGOTIATING AGENTS

The Foxborough School Committee is responsible for negotiations with recognized employee bargaining units. However, because of the expertise and time required for negotiations, the Foxborough School Committee may hire a negotiator to bargain in good faith with recognized bargaining units to help assure that mutually satisfactory agreements on wages, hours, and other terms and conditions of employment will be developed.

The Foxborough School Committee will appoint the negotiator and the fee or salary for his 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 Foxborough School Committee, and their participation in negotiations must be recommended by the Superintendent and approved by the Foxborough 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 Foxborough School Committee as to acceptable agreements and will report on the progress of negotiations.
 - d. He/she will make recommendations to the Foxborough 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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