

WORK STOPPAGES/JOB ACTIONS/STRIKES

The board of education opposes the use of strikes, job actions, or other work stoppages by district employees as a tactic to pressure the board to make concessions during negotiations or during the term of a collective bargaining agreement. Therefore, it is the intention and resolve of the board of education to keep the schools open during any work stoppage/job action or strike in the interests of the pupils and the public, so long as the safety and welfare of the pupils and the security of district property is maintained.

In the event that a strike, job action or work stoppage is under consideration, all staff are requested not to permit any discussions with pupils regarding same. If pupils raise questions regarding any potential strike, staff are instructed to deal with the questions in accordance with the district's controversial issues policy.

Staff members are prohibited from involving pupils in carrying messages, oral or printed, to their parents/guardians that promote their position or carry an explanation of any employee organization that is engaged in or contemplating a work stoppage, job action or strike.

For the duration of any work stoppage or strike, the superintendent shall be authorized to:

- a. Contract for or otherwise obtain transportation, food, telephone, utilities and such other services deemed necessary during the emergency;
- b. Require any employee to work overtime and fix the hours of employment of all employees, and fix and pay daily rates for certified and non-certified substitutes which will attract the necessary personnel; substitute salary will not exceed the average daily full-time salary;
- c. Assign or reassign personnel, and employ such additional personnel as are deemed necessary during the emergency;
- d. Declare a minimum school day for pupils;

- e. Close the schools;
- f. Cancel activities;
- g. Make public statements, issue news releases, make or authorize all statements to parents/guardians during the emergency concerning the education programs, health, safety and welfare of the pupils. The superintendent is not authorized to make public statements, news releases or written statements concerning the concerning the status of negotiations, employee benefits, rights and privileges, and litigation;
- h. Contact the public safety department of the township;
- i. Arrange for security personnel;
- j. After consulting with the board president, take other steps consistent with the intent of this policy.

During any work stoppage or strike, the following personnel policies shall be in effect:

- a. Only emergency leaves of absence and proven sick leave will be authorized.
- b. Effective the first day, all employees' absences, medical or otherwise, shall be substantiated by a doctor's statement or other authenticated documentation acceptable to the superintendent. Unauthorized absences shall result in a full deduction on one day's salary for each day of absence.
- c. The board shall reserve the right to withhold payment of district contributions to employee benefit programs during an unauthorized absence.
- d. On the day of absence the employee must notify the superintendent before 3:00 p.m. concerning his/her work intentions for the following day, otherwise a substitute may be hired. The employee may not work and shall not be paid.
- e. The board of education, at its discretion, may cancel all rights and benefits of employee organizations participating in job actions and other forms of work stoppage. The board further reserves the right to cease withholding the membership dues to employee organizations for conducting or participating in these activities

Date: March 13, 1991  
Reviewed March 20, 2002

Legal References:

N.J.S.A. 34-13A-3

N.J.S.A. 34:13A-5.3

Definitions

Employee organization; right to form or join;  
collective negotiations

Cross Reference:

6144 Controversial issues

