



Management and Confidential Personnel

Concerted Action/Work Stoppage

Total or partial strikes by educational employees are unlawful activities. Whether described as a slowdown, withholding of services, sick-out or by any other terms, employees who fail to perform all assigned duties will be deemed to be in an unauthorized leave status and/or abandonment of position.

No warrants shall be drawn for any employee who is found to be in an unauthorized leave status and/or abandonment of position.

To maintain the continuing operation of schools and conduct of classes during periods of unlawful activities by regular employees, the superintendent shall be granted emergency powers to:

- A. Direct the members of the management team to perform duties as required, including conduct instruction;
- B. Relieve any management team member who refuses to perform as directed and place such person on unauthorized leave status;
- C. Close any school site when it is judged that the welfare of the pupil population may be in jeopardy or when the educational needs of such pupils cannot be met; and
- D. Provide for any additional security, which may be required to protect and preserve district facilities, property or materials.

Members of the management team, supplemented by an emergency work force, acting with independent judgment and through the direction and coordination of the superintendent, shall be deemed the work force charged with the continuing operation of schools and classes during any period of unlawful activity by non-management employees.

(cf. Resolutions 89-51, 52, 53, 54, 55, 56, 57, 58)

Legal Reference:

EDUCATION CODE

35204 Contract with attorney in private practice

35205 Contract for legal service

GOVERNMENT CODE

3540-3549.1 Meeting and negotiating in public educational employment