

POLICY

2012
By-Laws

1340

SUBJECT: DUTIES OF EMPLOYEE RELATIONS COUNSEL

Employee relations counsel is appointed by the Board of Education and serves in an advisory capacity to both the Board of Education and the Superintendent of Schools.

In the normal course of events, the counsel's primary responsibility is to provide the Superintendent and/or the Superintendent's chief negotiator with such legal and professional advice on negotiations and contract administration as may be requested by the Superintendent. This consultation may include, but will not necessarily be limited to, interpretation of the Taylor Law, advice on negotiation procedures (the appropriate strategic and tactical gambits at the bargaining table), recommendations on contract content and wording, and assistance with any grievance arising from alleged violations of existing agreements.

The initiatives available to the Superintendent, as described in the foregoing paragraph, do not preclude the counsel from spontaneously advising the Superintendent in the aforementioned areas when, in counsel's professional opinion, such advice is warranted, nor does the Superintendent's special relationship with counsel restrict the Board's prerogative to confer as a body directly with the employee relations counselor or communicate with counsel through the Board President.

If the employee relations counsel is to do an effective job of advising the District, the Superintendent and negotiating staff must provide counsel with complete and timely information regarding the District's negotiating proposals, objectives, and stratagems.

Counsel will not be expected to serve as a negotiator and counsel's presence in or near the negotiating chamber will be restricted to those points of crisis in the negotiations where the mere presence for consultation may well expedite the negotiating process.

The Board of Education may retain employee relations counsel for other projects that might involve Taylor Law considerations.

Historical Notes: Resolution 0.3.8-1 Negotiations Counsel 10/13/70

Adopted 3/3/98
Adopted 1/26/10