SACRAMENTO CITY UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION

Agenda Item 9.2

Meeting Date: March 21

Division: Human Resource Services

<u>Recommendation</u>: Adopt Emergency Resolution in the Event of a Concerted Refusal to Work by Employees.

<u>Background/Rationale</u>: The purpose of this item is to adopt an emergency resolution authorizing the Superintendent and his designees to take such action necessary in the event of a concerted refusal to work by employees.

<u>Financial Considerations</u>: Impact to the budget is speculative at this time. However, school closures due to work stoppage may r



I. Overview/History

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SACRAMENTO CITY UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION

RESOLUTION NO. 3073

RESOLUTION IN THE EVENT OF A CONCERTED REFUSAL TO WORK BY EMPLOYEES

WHEREAS, the Board of Education finds that a strike, work slowdown, **sitt**kwork stoppage or other withdrawal of services by a substantial number of certificated employees would interfere with, impede or have the effect of interfering with or impeding the normal operation of the school district;

WHEREAS, the Board of Education finds that such withdrawal of services will result in great and irreparable damage to the schools and the pupils of the school district;

WHEREAS, the Sacramentoit Teachers Association (SCTA") has made allegations of unfair practices by the District without detail evidence; that in its "Messenger" on January 25, 2019, SCTA reported that its Executive Board animously passed a resolution that if the District doesn't cease its unlawful activities and the District proceeds with its efforts to 'solve' its budget fiasco by reducing services to students rather than addressing the bureaucratic bloat, we will bring the resolution to the Rep Council meeting on Februaryo7thegin strike votes thereafter"; that on February 15, 2019, SCTA reported that its Rep Council "unanimously passed a motion that directed moving forward with a membershipe strike vote" and that SCTA expected the strike voting to conclude the secoed wof March; that on February 22, 2019. SCTA stated that it "might be forced to strike here in Sac City if the District continues its unlawful behavior," and that "[t]o date, we have conducted strike votes at approximately 15 sites with strong turnout andood support"; that on March 15, 2019 at a press conference, David Fisher, president of SCTA, announced that SCTA is "setting this potential strike to protest those and other unlawful actions by the Districtind that on March 15, 2019, SCTA announced that 92% of its members voted to authorize SCTA Executive Board to call a strike if "[Superintendent] Aguilar, [Board President] Ryan and the District persist in their unlawful behavior and avoid taking measure to correct their unlawful behavior":

WHEREAS, the District vehemently denies that it has committed any unfair practices that would justify a strike;

NOW, THEREFORE, BE IT RESOLVED it is the position of the Board that y actual or serious threat of concerted refusal to work by employees will constitute a legitimate emergency, and that the Board of Education hereby determines that a legitimate emergency exists as defined by California law, Board of Education policy and ministrative Rules and Regulations effective immediately and lasting until the Board takes formal action to rescind this Resolution

<u>Authority of Superintendent</u>

BE IT FURTHER RESOLVED that the Superintendenin conjunction with the appointed Fiscal Advisor, is hereby authorized to contract with individuals, firms, or other public entities