

**AP 2610 PRESENTATION OF INITIAL COLLECTIVE BARGAINING
PROPOSALS**

Reference:

Government Code Section 3547

NOTE: This procedure is legally required. The following is an illustrative example that meets all legal requirements.

❖ From current CLPCCD Policy 4615 titled Public Notice for Collective Bargaining

~~In order to ensure that the public is informed of issues that are being negotiated and knows the positions of its elected representatives, and to further ensure that members of the public have full opportunity to express their views on these issues to the District, the Governing Board of the Chabot-Las Positas Community College District hereby adopts the following policy:~~

Whenever an initial collective bargaining proposal is received from an exclusive representative of District employees, or whenever the District's own negotiator presents an initial proposal, the following actions must be taken at public meetings of the Board of Trustees:

1. All initial proposals of the District or of the exclusive representatives of District employees, which relate to matters within the scope of bargaining, shall comply with Title 8, California Code of Regulations, Sections 32900 et seq., and California Government Code Section 3547.
2. The exclusive representative or the District must present the initial collective bargaining proposal orally or in writing to the Board at a public meeting. All initial proposals of the District or of the exclusive representatives of District employees and of the District, which relate to matters within the scope of representation, shall be presented at a public meeting of the Governing Board and thereafter shall be public records.
3. Meeting and negotiating shall not take place on any proposal until a reasonable time has elapsed after the submission of the proposal to enable the public to become informed and to afford the public an opportunity to express itself regarding the proposal at a meeting of the Governing Board.

4. The public shall have an opportunity to respond to the exclusive representative's or District's initial proposal at a subsequent public Board meeting. The opportunity for public response shall appear on the Board's regular agenda. Public response shall be taken in accordance with the Board's policies regarding speakers.
5. After the public has an opportunity to respond to an initial proposal presented by the District, the Board shall, at the same meeting or a subsequent meeting, adopt the District's initial proposal. The adoption shall be indicated as a separate action item on the Board agenda. There shall be no amendment of the District's initial proposal unless the public is again afforded a reasonable opportunity to respond to the proposed amendment at a public meeting. ~~After the public has had the opportunity to express itself on a proposal by the exclusive representative, the Governing Board shall, at a meeting which is open to the public, adopt its initial proposal.~~
6. If new subjects of meeting and negotiating arise after the presentation of initial proposals, the following procedure shall be followed: all new subjects of meeting and negotiating, whether proposed by the exclusive representative or the District, shall be posted by the District in the same public place as it posts its agendas within 24 hours after their presentation in negotiations. ~~New subjects of meeting and negotiating arising after the presentation of initial proposals shall be made public within 24 hours. If a vote is taken on such subject by the Governing Board, the vote thereon by each member voting shall also be made public within 24 hours.~~
7. When a request to reopen a collective bargaining agreement, as required by the agreement, is received from an exclusive representative or is made by the District, the public notice procedure outlined in this procedure shall be followed.
8. When the District and the exclusive representative agree to amend an executed collective bargaining agreement in accordance with the agreement, the following procedure shall be followed:
 - The amendment shall appear on the agenda as a notice item, for action at a subsequent Board meeting.
 - The public shall have an opportunity to respond to the amendment at a subsequent Board meeting. The public response shall be indicated on the agenda.
9. A suitable number of copies of the initial proposals shall be available to the public at meetings during which these proposals are presented. Upon request, additional copies will be made available to members of the public.
10. The Public Employment Relations Board has jurisdiction to process, hear and resolve complaints alleging violation of this policy. Any party alleging a violation of this policy shall present a written statement to the Governing Board of the

alleged violation. Within fifteen (15) calendar days of receipt of the written statement, the Governing Board shall respond in writing to the allegations.

NOTE: The **red ink** signifies language that is **legally required** by the Policy and Procedure Service. This document was reviewed by Judy and Wyman on April 9, 2013. David reviewed this document on May 29, 2015. Changes to the language recommended by the Policy and Procedure Service are in **blue ink**. Changes in the existing board policy are ~~struck-out~~ in **black ink**. Changes are made only to eliminate redundancy between the current language and any additional language recommended by the Policy and Procedure Service.

Date Approved:

(This is a new procedure recommended by the Policy and Procedure Service)

Legal Citation for AP 2610

Government Code Section 3547

3547. (a) All initial proposals of exclusive representatives and of public school employers, which relate to matters within the scope of representation, shall be presented at a public meeting of the public school employer and thereafter shall be public records.

(b) Meeting and negotiating shall not take place on any proposal until a reasonable time has elapsed after the submission of the proposal to enable the public to become informed and the public has the opportunity to express itself regarding the proposal at a meeting of the public school employer.

(c) After the public has had the opportunity to express itself, the public school employer shall, at a meeting which is open to the public, adopt its initial proposal.

(d) New subjects of meeting and negotiating arising after the presentation of initial proposals shall be made public within 24 hours. If a vote is taken on such subject by the public school employer, the vote thereon by each member voting shall also be made public within 24 hours.

(e) The board may adopt regulations for the purpose of implementing this section, which are consistent with the intent of the section; namely that the public be informed of the issues that are being negotiated upon and have full opportunity to express their views on the issues to the public school employer, and to know of the positions of their elected representatives.