

EMPLOYEE WALKOUTS, STRIKES AND OTHER DISRUPTIONS

The Board is committed to peacefully resolving labor issues, but the Board will not hesitate to act if district operations or the student learning environment are disrupted. No employee shall engage in any strike, walkout, work slowdown, stoppage or interruption of work, work-to-rule, boycott, refusal to cross any picket line, sit-down, sit-in, walk-out, sick-out, concerted refusal to work or any other practice that disrupts the school environment or interferes with district operations. This prohibition includes sympathy strikes or other disruptive actions taken in support of a different bargaining unit in the district or elsewhere.

In the event of a disruption, the superintendent or designee is authorized to contact an attorney to seek court intervention, compensation or any other recourse in accordance with law. Any employee participating in disruptive acts will be deemed to have engaged in a serious violation of Board policy, will be considered excessively and unreasonably absent from duties, and may be terminated or otherwise disciplined. The Board may also seek revocation of an employee's license(s). Employees will not be disciplined for actions protected by law.

During a strike, work stoppage or other disruption of the district, all employees are prohibited from using paid or unpaid leave unless the leave is required by law or unless the employee provides evidence satisfactory to the district of the need for the leave. The Board also reserves the right to revoke previously approved vacation leave, personal leave or other optional leaves.

The superintendent or designee is directed to develop an emergency plan to be used in the event of a strike, work stoppage or other disruption to the educational environment. The superintendent or designee may reassign employees as necessary to keep schools operating and may hire replacement employees in accordance with law. If necessary, the superintendent may close schools with the understanding that all education facilities will be reopened as soon as practical.

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Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.

Adopted: September 24, 2020

Revised:

Cross Refs: HA, Negotiations with Employee Representatives
HH, Teacher Negotiating Representatives

Legal Refs: Mo. Const. art. I, § 29
§§ 105.500 - .598, 168.114, .116, RSMo.
Independence - Nat'l Educ. Ass'n v. Independence Sch. Dist., 223 S.W.3d 131
(2007)
Willis v. School Dist. of Kansas City, 606 S.W.2d 189 (Mo. Ct. App. 1980)

FILE: GBCBA
Critical

Karney v. Mo. Dept. of Labor and Indus. Rel. __ S.W.3d __ (2020)
U.S. Const. amend. I

East Carter R-II School District, Ellsinore, Missouri