



## Negotiations *The Process*

*The UTW Executive Board has recommended that Wichita teachers reject the tentative agreement with the BOE. If the teachers vote to reject it, then another negotiating session will be scheduled. Most of the time, that session does not produce an agreement. In that case, we would move to fact finding (see explanation below).*

**COLLECTIVE BARGAINING:** An orderly process in which the teachers and the school board enter into give and take discussions on salary, fringe benefits, hours, working conditions and other terms and conditions of employment with the purpose of arriving at agreements on these matters. These agreements are reduced to writing and approved by the school board and the teachers.

**IMPASSE:** Persistent disagreement between the Association and the Board, that may be resolved by mediation or arbitration.

**MEDIATION:** the active involvement of a third party mediator who attempts to suggest to the parties various proposals and methods for the actual resolution of the problem. The mediator does not make decisions. In the mediator's most active role, he/she suggests possible areas for compromise and contributes additional points of view to the situation, but fundamentally it is the parties who have to resolve the dispute. Where the parties are unwilling to help find a solution, the role of the mediator is of little value.

**FACT-FINDING:** A procedure established to deal with a negotiation impasse. When an impasse persists following mediation, a fact finder selected by alternate strikes from a panel of five appointed by the State Department of Human Resources will hold a hearing to determine the issues and facts in dispute. Following the hearing the fact finder will issue a report containing findings of fact and recommendations for a settlement. The report is usually made privately to the parties. The finding is non-binding.

### **UNILATERAL CONTRACTS:**

Following the report by the fact finder, there is a mandatory bargaining session. If no agreement is reached at this point, the BOE may issue a unilateral contract. A unilateral contract may contain provisions not in the previous contract and may leave out some provisions which were included in the previous one. Teachers do not have to sign the unilateral contract, choosing instead to work under the previous contract.