

LACEA & LACOE declared impasse in bargaining last week. (For more details, please see the bargaining update from Troy Doyle, LACEA's Bargaining Chair.) LACEA filed a request with the Public Employment Relations Board (PERB) to authorize impasse and to assign a State mediator to facilitate a settlement. We will hear from PERB this week. We will then work with the mediator to schedule the mediation date. LACEA believes that it is extremely important to our students and staff to try to reach a settlement as soon as possible. In the meantime, LACEA wants members to know what the impasse process includes.

IMPASSE IN A NUTSHELL

IMPASSE: When a local association and a school district are unable to reach agreement on a new contract, they go to impasse. The law provides third-party assistance from the state. The basic steps of impasse are outlined below.

1. **MEDIATION:** The Public Employment Relations Board (PERB) officially declares an impasse and begins the mediation phase. PERB appoints a state mediator to work with the parties.

If the mediator is not able to bring the two sides together, he/she certifies the dispute to factfinding.

2. **FACTFINDING PANEL:** Three people are selected to form a panel that will consider presentations made by the two parties.

- ★ The panel has one representative from each side, plus a neutral provided by the State.
- ★ The two parties present to the panel their respective bargaining proposals, their facts and analysis. When the panel concludes its meetings, the neutral will issue a written opinion. The association and district representatives may choose to agree with the neutral or write dissenting opinions.
- ★ The neutral factfinder is usually an attorney/arbitrator who has general understanding about school finance. He/she may not be a financial expert or an accountant. A factfinding is not an audit.
- ★ The neutral's time and energy are mostly devoted to listening to the party's presentations and formulating a report. It is common for a factfinder to attempt to mediate the dispute one more time.
- ★ The neutral's written opinion is not binding. However, the parties are obliged to consider it.

3. **NEXT STEP:** After the parties complete the factfinding phase, if no agreement is reached in post factfinding negotiations/mediation, the employer is free to impose conditions of employment and it is legal for the association to strike.

YOUR LACEA BARGAINING TEAM AND CTA STAFF WILL BE REPRESENTING YOU AT THE MEDIATION. THEY NEED YOUR SUPPORT TO GET A FAIR SETTLEMENT! WATCH YOUR EMAIL FOR UPDATES AND POSSIBLE SOLIDARITY ACTIVITIES.