

PULLMAN SCHOOL DISTRICT NO. 267
Resolution No. 2016-17:05

**A RESOLUTION IMPROVING TRANSPARENCY BY NEGOTIATING
COLLECTIVE BARGAINING AGREEMENTS IN A MANNER OPEN TO THE PUBLIC**

WHEREAS, a transparent government is a priority for Pullman School District (“District”);

WHEREAS, the Open Public Meetings Act (“OPMA”), Chapter 42.30 RCW, was enacted by the Legislature in 1971;

WHEREAS, the legislative declaration of the OPMA (RCW 42.30.010) states in part: “The people of this state do not yield their sovereignty to the agencies which serve them. The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know. The people insist on remaining informed so that they may retain control over the instruments they have created.”;

WHEREAS, collective bargaining agreements are among the most expensive contracts negotiated by the District;

WHEREAS, both taxpayers and employees deserve to know how they are being represented during collective bargaining negotiations;

WHEREAS, the potential impression of secret deal-making will be eliminated by making collective bargaining negotiations open to the public;

WHEREAS, public observance of collective bargaining contract negotiations will not preclude bargaining representatives of both sides from meeting (i) separately and privately to discuss negotiating tactics, goals, and methods and (ii) separately and privately for dispute resolution purposes (e.g. mediation);

WHEREAS, opening collective bargaining negotiations to the public does not mean that the public will participate in the negotiations;

WHEREAS, collective bargaining is defined in statute (RCW 41.56.030) as: “...the performance of the mutual obligations of the public employer and the exclusive bargaining representative to meet at reasonable times, to confer and negotiate in good faith, and to execute a written agreement with respect to grievance procedures and collective negotiations on personnel matters, including wages, hours and working conditions, which may be peculiar to an appropriate bargaining unit of such public employer, except that by such obligation neither party shall be compelled to agree to a proposal or be required to make a concession unless otherwise provided in this chapter.”;

WHEREAS, making collective bargaining contract negotiations transparent does not conflict with and is not preempted by state law;

WHEREAS, the OPMA (RCW 42.30.140) permits collective bargaining contract negotiations to be exempted from the open public meetings requirements, but this

exemption does not compel such negotiations to be private and/or secret; and

WHEREAS, the OPMA does not prohibit public school districts from making these negotiations open to the public.

THEREFORE, BE IT RESOLVED, BY THE BOARD OF DIRECTORS OF PULLMAN SCHOOL DISTRICT NO. 267 AS FOLLOWS:

The District shall endeavor to conduct collective bargaining contract negotiations in a manner that is open to the public;

The District may provide public notice of collective bargaining contract negotiations in accordance with the OPMA (RCW 42.30.060-42.30.080);

This resolution does not preclude meetings related to any activity conducted pursuant to the enforcement of a collective bargaining agreement after the agreement is negotiated and executed, including, but not limited to, grievance proceedings;

This resolution does not preclude District bargaining representatives from meeting (i) separately and privately to discuss negotiating tactics, goals, and methods and (ii) separately and privately for dispute resolution purposes (e.g. mediation); and

The Superintendent or designee will send a copy of this resolution to all departments in the District, to all exclusive bargaining representatives, and all others deemed appropriate by the District.

Adopted this [redacted]th day of [redacted], 2016 in Pullman, Washington.

BOARD OF DIRECTORS:

ATTEST:

Secretary, Board of Directors