

Frequently Asked Questions

2015-16 Contract Negotiations with Santee Teachers Association (STA)

■ Impasse

1. **Who declared impasse?**

- a. STA declared impasse at the October 13, 2015 session

2. **What is impasse?**

- a. Impasse is a point during negotiations at which the parties' differences on pending issues are so substantial that future meetings would be futile
- b. Once this occurs, either party may declare that an impasse exists and initiate the process for appointing a mediator
- c. The Public Employment Relations Board ("PERB") is the agency that appoints mediators
- d. A request for appointment of a mediator is submitted to PERB, setting forth the relevant information regarding the status of negotiations
- e. A request for impasse declaration may be filed jointly by the district and the union

3. **What is mediation?**

- a. The first step in the impasse procedure is mediation
- b. When PERB has determined that a district and one of its unions are at impasse, it will assign a mediator in an attempt to broker settlement
- c. The mediator is a state employee who works with the district and its employee groups to seek resolution of the impasse
- d. Once a mediator has been appointed, the parties schedule a date for mediation
- e. The mediator's goal is to meet jointly and/or separately with the parties to persuade them to resolve their differences and enter into a mutually-acceptable agreement
- f. The mediator's recommendations are private and non-binding upon the parties and the mediator has no authority to compel a negotiations settlement
- g. Most impasses are resolved through the mediation process
- h. If agreement is not reached during mediation, negotiations enter "fact-finding"

4. **What is fact-finding?**

- a. During fact-finding, each party selects an individual to appoint to a 3 member fact-finding panel, with a third party, commonly called "the neutral," being appointed by PERB or by mutual agreement of the parties
- b. Fact-finding is a more formal proceeding during which each party presents data and documentation to support their "case"
- c. The fact-finding panel then deliberates and issues a fact-finding report with non-binding recommendations which can, but may not, be contained in a subsequent agreement

5. **Is the District willing to continue to meet with STA?**

- a. Yes, the District remains very committed to obtaining an agreement with STA and is willing to continue to meet