

## BOARD MEMO

Date: May 23, 2024

For ACTION     

For INFORMATION   X  

**FROM:** Robert Falconi, Division Counsel

**THROUGH:** Melanie Kay-Wyatt, Ed.D., Superintendent of Schools

**TO:** The Honorable Michelle Rief, Chair, and  
Members of the Alexandria City School Board

**TOPIC:** Collective Bargaining: Public Notice of Election for Bargaining Unit Representative

### **ACPS 2025 STRATEGIC PLAN GOAL:**

- Goal 1: Systemic Alignment
- Goal 2: Instructional Excellence
- Goal 3: Student Accessibility and Support
- Goal 4: Strategic Resource Allocation
- Goal 5: Family and Community Engagement

### **SY 2023-2024 FOCUS AREA:**

N/A

### **FY 2024 BUDGET PRIORITY:**

Implementation of 2025 Strategic Plan

### **SUMMARY:**

Under the Collective Bargaining Resolution adopted by the Alexandria City School Board on March 21, 2024, the School Board must provide public notice of an election for an exclusive representative for a bargaining unit in the agenda for the Board meeting immediately preceding the election for an exclusive representative of that bargaining unit. As this election is taking place on May 28-30, 2024, including this Board item as an information item would satisfy the requirements of this provision of the Collective Bargaining Resolution.

### **BACKGROUND:**

In 2020, the General Assembly amended Code of Virginia § 40.1-57.2 to repeal the prohibition against collective bargaining for School Board employees, which was made effective May 1, 2021. This legislation granted school boards the authority to recognize any organized employee association or labor union to exclusively represent school employees, to certify/decertify freely chosen Exclusive Representative(s), and to collectively bargain and enter into collective bargaining agreements with the Exclusive Representative(s). One of the provisions in this legislation allowed a majority of public employees in a unit considered by such employees to be appropriate for the purposes of collective bargaining to certify to the governing body that they wished to engage in collective bargaining. Upon receiving such certification, any governing

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body that had not adopted a resolution or ordinance providing for collective bargaining would be obligated to take a vote on such a resolution or ordinance within 120 days of receipt.

On October 16, 2023, the School Board received a notification from the Education Association of Alexandria (EAA) indicating that a majority of licensed personnel within ACPS had expressed support for collective bargaining by such ACPS employees, thus triggering the School Board to vote on a resolution authorizing collective bargaining within ACPS. On February 8, 2024, the School Board adopted a resolution authorizing collective bargaining within ACPS and requiring the School Board to adopt a collective bargaining resolution within 60 days after adoption of the authorization resolution. On March 21, 2024, the Board adopted a Collective Bargaining Resolution, and on April 11, 2024, the Board received a notice from the EAA indicating that they had at least thirty percent (30%) support for exclusive representation from current Bargaining Unit employees in both the Licensed Personnel and Education Support Professionals units.

The EAA proposed holding an election on May 28-30, 2024, which ACPS has agreed to, and pursuant to Section 3(A)(4) of the Collective Bargaining Resolution, ACPS must provide public notice of the election in the agenda for the Board meeting immediately preceding the election, which would be this particular Board meeting. This public notice is included on Electronic School Board in the Board agenda packet, and all employees in the bargaining units should have received a communication from the Superintendent regarding the election last week.

**IMPACT:**

N/A

**ATTACHMENTS:**

1. Notice of Election and Notice to Intervenors

**REFERENCES:**

N/A

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