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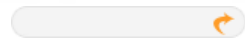
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Los Angeles Unified School District

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School Operations



ALL: Reminder - Solicitations and Sale of Merchandise

This is a policy reminder that no agent may solicit employees, advertise or distribute promotional materials for financial instruments on district property or through electronic media.

This is an important reminder for site administrators regarding the solicitation and sale of merchandise on school campuses, as well as guidelines on employee unions, associations, organizations and the use of school mail.

"No agent may solicit employees, advertise or distribute promotional materials for the purpose of insurance policies, solicitation of contracts for tax-sheltered annuities, 403(b) voluntary retirement savings or similar benefits on District property (including vehicles) or through District media, email or publications, including websites."

Please take a moment to review the bulletin guidelines on how to respond to vendors' requests for access to district work sites. For assistance or questions, please contact the Office of Labor Relations at (213) 241-7637 or your Educational Service Center Operations Coordinator.

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Source: Office of Labor Relations: (213) 241-7637



Keep in touch with LAUSD

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LOS ANGELES UNIFIED SCHOOL DISTRICT POLICY BULLETIN

TITLE: Employee Unions, Associations, and Organizations,
Solicitations and Sale of Merchandise, and Use of School
Mail

NUMBER: BUL-6178.0

ISSUER: Dr. John Bowes, Director
Office of Labor Relations

David Holmquist, General Counsel
Office of the General Counsel

DATE: October 14, 2013

ROUTING
All Employees
All Locations

POLICY: This Policy Bulletin delineates procedures to be followed in order to provide the opportunity for unions/associations to contact employees at their place of work and to conduct their activities.

MAJOR CHANGES: This Policy Bulletin replaces Office of Staff Relations, Human Resources Bulletin Number BUL-5474.0 of the same subject issued May 9, 2011. The content has been revised to reflect current contact information.

GUIDELINES: The following guidelines apply.

I. Right to Join

Section 3543 of the Government Code specifies the right of public school employees to form, join, and participate in the activities of employee unions and associations of their own choosing for the purpose of representation on all matters of employer-employee relations.

II. Definitions of an Organization, a Union, and an Association

A. Organization: An organization is a group of employees in one class or group who meet together at the direction of the Superintendent or his designee. Organizations may meet at any time to discuss any issue which has been approved for discussion by the Superintendent or his designee. Attendance at organization meetings is limited to members of the organization or to individuals approved by the Superintendent or his designee. A president of an organization generally shall be elected by the membership.



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- B. Union: A union is a group that has been certified by the Public Employment Relations Board to serve as the exclusive representative of a group of employees on all matters of employer-employee relations.
- C. Association: An association is a group of employees with a community of interest who join together for purposes of their own. An association is not responsible to the Superintendent or to the District.

Such groups may meet before and after employees' hours of service or during duty-free lunch periods. A reasonable amount of time shall elapse between any organization meeting and union/association meeting to permit individuals to leave or remain as they desire.

III. Meeting Employees at the Workplace

The procedures outlined below are to be followed in order to provide the opportunity for unions/associations to contact employees at their place of work and to conduct their activities. In all instances, union/association representatives are to inform the site administrator of their presence immediately upon arrival at the facility and are to identify themselves as an authorized representative of an officially recognized union/association. The representative shall state the intended purpose and length of the visit.

There shall be no discrimination for or against such unions/associations in providing opportunities for union/association representatives to meet with employees.

Provided there is no interference in any way with the services of the employee or employees contacted, a representative shall be permitted to discuss union/association matters with an individual employee, or a group of employees, during the following times:

- Preceding the daily period of service
- Following the close of the daily period of service
- During the duty-free lunch period

IV. Solicitations and Sale of Merchandise

Pursuant to Insurance Code Section 770-3, no state or local agency may require that a tax-sheltered annuity purchase by an employee via a salary deduction be placed through an approved union/association, or any other specially designated agent, broker, or company. In keeping with the intent of the law and Board Rule 1251 and to maintain a policy of impartiality:



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- A. No agent may solicit employees, advertise or distribute promotional materials for the purpose of insurance policies, solicitation of contracts for tax-sheltered annuities, 403(b) voluntary retirement savings or similar benefits on District property (including vehicles) or through District media, email or publications, including websites. The only exception is authorized representatives of the LAUSD-sponsored 457(b) plan.
- B. Presentations on retirement, personal finance, or insurance are not permitted on LAUSD property other than by official representatives of the LAUSD 457(b) plan, CalSTRS and CalPERS. Such presentations may not be made at any meeting organized by LAUSD regardless of whether the meeting takes place on LAUSD property.
- C. Employees may not use District facilities (telephones/fax machines) to arrange appointments or discuss any phase of private insurance, annuities, 403(b)s or similar programs. They may not meet company representatives on District property. The only exception is authorized representatives of the LAUSD-sponsored 457(b) plan.
- D. Recognized unions and associations can sell merchandise to their members during regular meetings, with the same rights extended to parent/community groups, with respect to their membership at their meetings, in accordance with Board Rule 1251. Site administrators will coordinate the use of facilities for meetings so that such activities can be arranged in a manner which does not expose non-participants to solicitations or sales activities and which does not open school premises generally to other vendors or commercial activities, as provided by Board Rule 1251. Meetings shall be conducted in accordance with Section III of this bulletin.
- V. The Office of Labor Relations maintains a list of employee groups officially recognized by the Los Angeles Unified School District. Such recognized employee groups receive certain privileges designed to assist in promoting the mutual interests of the District and the group.
- VI. Use of School Mail Service

Officially recognized employee groups, excluding the unions, may be granted the privilege of the use of school mail service for the distribution of materials as outlined in Board Rule 1453.

Materials for distribution by employee groups must have prior approval of the Office of Labor Relations and must conform to reasonable handling procedures and United States Postal requirements. Materials or literature for



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distribution or posting must be dated and shall not be defamatory, obscene, violative of law or established District policy or, in the judgment of the Superintendent, in conflict with the interests of the District, nor shall it contain anything which tends to degrade or malign persons or organizations. Additional information pertaining to the distribution of materials via school mail is available from the Office of Labor Relations.

VII. Reference List

Following is the list of references relating to employee groups:

- A. Access to Employees
Classified and certificated collective bargaining agreements (union rights article)
- B. Use of School Mail Service
Board Rule 1453
- C. Use of Bulletin Boards in School
Board Rule 1461; classified and certificated collective bargaining agreements
- D. Request for Use of School Facilities by Recognized Employee Groups
Board Rule 1310
- E. Distribution of Petitions, Circulars
Board Rules 1276 and 1452
- F. District-wide Responsibilities
Reference List Organization Sponsors (issued yearly by the Office of the Superintendent of Schools)
- G. Solicitation and Sale of Merchandise
Board Rule 1251

AUTHORITY: This is a policy of Section 3543 of the Government Code; Board Rules; certificated and classified collective bargaining agreements.



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RELATED RESOURCES: Additional details can be found in the union rights articles of the certificated and classified collective bargaining agreements.

ASSISTANCE: For assistance or further information please contact Dr. John Bowes, Director, Office of Labor Relations at (213) 241-7637.