



What Is Impasse?

When a union and school board **cannot come to agreement during contract negotiations, either side may declare impasse.**

During impasse the parties **utilize the services of either a mediator or “Special Magistrate” to assist in resolving outstanding issues.**

If the parties agree to mediation, a Federal Mediator will meet with the parties to assist in working through the issues. The result is non-binding but **the success rate of Federal Mediators is good** when the parties agree to utilize them. Mediation can occur at any step of the impasse process.

If no mediator is used or if there is no success with a mediator, then the Public Employees Relations Commission (PERC) appoints a Special Magistrate. **(USEP may request a Special Magistrate but has not ruled out mediation as an option.)**

Once a **Special Magistrate is appointed, a hearing date is set** allowing 10-15 days for preparation and gathering of witnesses and evidence. All unresolved issues are submitted to the Special Magistrate at the public hearing. **The Special Magistrate will consider arguments and evidence from both sides and issue a “recommended decision” within 15 days** after the end of the hearing.

When the Special Magistrate issues his/her recommendation, **the parties have 20 days to accept or reject part or all of the recommendation.** If not rejected, the recommendation is submitted for ratification. **If either party rejects, then the disputed items are submitted in writing to the School Board** along with written recommendations from the Superintendent and the Union.

The **School Board then sets a final public hearing** (usually within another 10 days). At this hearing, the Union and Superintendent present their arguments. **The School Board then decides how to resolve the issues.** The School Board may or may not agree with the recommendations of the Special Magistrate, the Superintendent, or the Union. **What the school board decides is called “imposition” and is reduced to writing and submitted to the teachers and SRP for ratification.**

If the “imposition” is ratified, it is incorporated into the contract and implemented. If the “imposition” is not ratified, it takes effect from the date of the hearing forward but only until the end of the school year.