

POLICY GOVERNING RELATIONSHIPS WITH LABOR UNIONS OR LABOR UNION–AFFILIATED ORGANIZATIONS

Policy Number: Board File: HB

The Douglas County School District *shall not* collect, or participate in the collection of, dues or fees of any kind from its employees for, or on behalf of, any labor union or labor-union affiliated organization.

The Douglas County School District *shall not* use any taxpayer funds to pay, directly or indirectly, any salary, wage, fringe benefits or other compensation of any kind whatsoever (whether or not such payments are reimbursed to the District) to any person for the purpose of such person serving, on either a full or part-time basis, as an officer, director, employee, representative, or agent of a labor union or labor union–affiliated organization.

It shall be considered an unlawful breach of the fiduciary duty of a Director or the Board of Directors to violate this policy.

The Board recognizes and supports the right of any resident of the Douglas County School District to bring an action *for injunctive relief only* in a court of competent jurisdiction against the Douglas County School District, and if successful, to recover from the District all reasonable attorneys' fees and costs in pursuing claims for violation(s) of this Policy HB. To the maximum extent permitted by law, and for purposes of this Policy HB only, the Board of Education hereby waives any and all legal and equitable defenses, including any defense of sovereign immunity, to an action brought by a resident under this Policy HB.

Nothing in this Policy HB shall be construed to, or is intended to prohibit or discourage any employee of the school district from membership or affiliation in or with a labor union or labor union–affiliated organization, or from serving as an officer, director, employee, representative, or agent of such an organization on the employee's own time and at his or her sole expense. Nothing in this Policy HB shall be construed to, or is intended to, prohibit or discourage any employee from voluntarily choosing, and making independent financial arrangements, to pay dues or other fees to any private organization as to which any employee desires to maintain membership, including without limitation a labor union or labor union–affiliated organization.

This Policy HB shall not apply to, and shall be subject to, any contracts or agreements currently in effect for the 2012–2013 school year.

Adopted: September 5, 2012