

ARTICLE III -- NO-STRIKE PROVISION

Section 1. Strikes and Work Stoppage

AFSCME, Local 1184 hereby agrees on behalf of its members and all employees of the unit it is certified to represent that it shall not authorize, initiate, or participate in a strike against the employer.

In addition, it agrees that neither it nor its members or employees of its certified unit shall support in any manner a strike against the employer by any other Union or group of employees.

For the purposes of this Article, "strike" means any extra legal or extra judicial effort which results in the concerted failure to report for duty; the concerted absence of employees from their positions; the concerted stoppage of work; the concerted submission of resignations; the concerted abstinence in whole or in part by any group of employees from the full and faithful performance of the duties of employment with a public employer, for the purpose of inducing, influencing, condoning, or coercing a change in the terms and conditions of employment or the rights, privileges, or obligations of public employment, or participating in a deliberate and concerted course of conduct which adversely affects the services of the public employer; the concerted failure to report to work after the expiration of a collective bargaining agreement, and picketing in furtherance of a work stoppage.

Section 2. Penalties

In the event the appropriate administrative and/or court proceedings determine that a violation of this Article has resulted, in addition to the penalties provided in Chapter 74-100, Florida Statutes, Chapter 447.507, the employer may immediately seek action from the Florida Public Employees Relations Commission (PERC) to:

- A. Revoke certification of AFSCME, Local 1184 as the bargaining agent of the unit;
- B. Revoke the privilege of payroll dues deduction; and,
- C. Seek the maximum fines permitted by law, with the intent that such fines would be used by the employer to replace those services denied the public as a result of the strike.

In addition, the employer shall treat violation of Article III as a breach of contract, with the effect that all organizational rights and privileges accorded AFSCME, Local 1184, its officers, or members, shall be suspended and revoked; however, it is agreed by the Board that AFSCME, Local 1184 shall not be responsible for any act alleged to constitute a breach of this Article if AFSCME, Local 1184 can show that it did not instigate, authorize, condone, sanction, or ratify such action, and, further, that it has used reasonable means to prevent or terminate such action by its members.

The officers of AFSCME, Local 1184, along with bargaining unit members of Local 1184, agree to abide by Florida Statutes, Chapter 447.505, in that they will not participate in a

strike agreement against the School Board by instigating or supporting in any manner a strike. The officers of AFSCME, Local 1184 agree to take all necessary and reasonable steps, including the holding of a press conference, to bring about an end to any strike involving AFSCME, Local 1184 bargaining unit members. The failure of the officers of AFSCME, Local 1184 to seek an expedited resolution of the strike shall be evidence of the Union's support of said strike.