

ARTICLE 1

AGREEMENT, DESIGNATION OF PARTIES, AND LENGTH OF AGREEMENT

- 1.1 This agreement is made and entered into the 20th of July, 2005 between the Santa Monica Community College District, hereinafter referred to as "District", and the Santa Monica College Chapter 36/California School Employees Association, hereinafter referred to as "Association."
- 1.2 This agreement is entered into pursuant to Chapter 10.7, Sections 3540-3549 of the Government Code of the State of California.
- 1.3 Except as noted in this section, all articles of this agreement shall remain in full force and effect until December 31, 2006, when this agreement shall terminate.
- 1.4 The District and the Association agree to continue to operate under the articles of this contract after December 31, 2006 in the event a new contract has not been agreed to prior to December 31, 2006. The District and the Association agree such continuation shall continue until all negotiations have concluded or the conclusion of the impasse process. In the event that the Association engages in work stoppages after December 31, 2006 and prior to a contract being completed, the District is released from Article 1, Section 1.4.
- 1.5 Apart from and in addition to any existing legal restrictions upon and remedies for work stoppage, CSEA agrees to the following:
 - 1.5.1 During the term of this agreement, neither CSEA nor its respective officers or representatives shall urge, call, sanction or engage in any work stoppage, slowdown, or other concerted interference with normal operations for any cause whatsoever. In the event of any actual or threatened strike, slowdown, or other work stoppage, CSEA and its officers, representatives and affiliates shall take all reasonable steps within their control to avert or end the same.

Any employee engaging in any unlawful strike, slowdown, or other work stoppage may be disciplined under applicable law and provisions of this agreement.
 - 1.5.2 The District agrees that it shall not engage in a lockout of unit members during the term of this agreement. The term "lockout" is intended to cover a situation where the employer refuses to permit employees to work in an effort to obtain bargaining concessions from CSEA.
- 1.5.3 Disputes arising under this Article are to be handled according to appropriate legal proceedings rather than the grievance and/or arbitration procedure of Article 10.