

**SAN DIEGO CITY SCHOOLS**

Labor Relations Department

Office of the Superintendent

**CONFIDENTIAL STATUS REQUEST FORM**

**REFERENCE: ADMINISTRATIVE PROCEDURE NO. 7407**

**TO:** Director Labor Relations  
Room 1202, Eugene Brucker Education Center

**FROM:** \_\_\_\_\_

**RE:** \_\_\_\_\_  
(Position Title)

The position referred to above is assigned to my division/department and is currently excluded or proposed for exclusion from the OTBS bargaining unit.

I. Upon review of the criteria to be used in determining whether a position is “confidential” and should therefore be excluded from the OTBS bargaining unit, it is my determination and recommendation that:

The above position does not meet the criteria listed below and should not be excluded from representation.

The above position is new and does meet the criteria listed below and should be excluded from representation.

The above position is a current confidential position.

II. Criteria:

1. The employee’s supervisor must be one who is actively involved in developing recommendations or positions on negotiations matters.

2. The employee’s duties must involve assisting the supervisor in carrying out his/her responsibilities in the area of employer-employee relations.

3. The employee’s duties must cause him/her to have regular access to or possession of information relating to the employer’s employer-employee relations.

(Note: Mere access to bargaining materials is not sufficient. There must be a showing of actual work on the materials by the employee.)

4. The employee must not only have regular access to information relating to negotiations, but also be involved in the “stream of communication” on negotiations subjects.

5. The bargaining material must be confidential. That is, it must not be available to other non-confidential employees and must be specifically related to labor relations policies.

All five of the above-listed criteria must be present in order for a position to meet the test of “confidentiality” and exclusion from a bargaining unit.

