

Chariho School Committee Certified Staff Negotiation Subcommittee Mediation
Executive Session Minutes - January 28, 2013

Certified Contract Mediation – Minutes to remain sealed until an agreement is reached.

Subcommittee Members Present: Chair Robert Cardozo, Georgia Ure (left at 8:57 PM) and Alternate Gregory Kenney.

Administrator Present: Superintendent Barry Ricci and Human Resources Administrator Susan Rogers. Also in attendance: Attorney for the School Committee Jon Anderson (arrived at 5:20 PM) and School Committee Clerk Donna Sieczkiewicz.

IV. Approval of Executive Session Minutes of December 5, 2012

Superintendent Ricci recommended approval of the executive session minutes of December 5, 2012..

Gregory Kenney made a motion, seconded by Georgia Ure and it was VOTED: To approve the executive session minutes of December 5, 2012. In favor: Unanimous.

The Superintendent distributed an updated list of teacher salaries across the State. Chair Cardozo stated that he would like to get Articles 8 and 13 out of the way before talking money. Bruce was going to speak with NEA to see where they are at. The Superintendent noted that it has been his experience that when you get close to the end of negotiating, the parties may choose to group whatever is remaining as a package. Georgia expressed concern she had over the recent executive session meeting that was held after the Budget Workshop in which negotiations were discussed. A vote was taken and approved to forward a counter proposal on Article 8P to the Mediator. As Chair Cardozo was absent, Greg took over as Acting Chair. She doesn't know how this came about because she was elected to be on the Subcommittee and Greg was chosen as an alternate. This was flawed and not done correctly. She wanted to speak with Attorney Anderson prior to voting but was told she had to request this through the School Committee Chair. She could not talk with the School Committee Chair, or Vice Chair for that matter, because both have recused from taking part in negotiations. Two members who voted (George Abbott and Steve Huzyk) haven't even been a part of the process so they were both unfamiliar with what has transpired. Because three members of the School Committee had recused and three members were absent, she does not really feel that a quorum was present. Bob noted that the Superintendent had asked him what his feelings were on moving Article 8P forward and he was in favor of it. Georgia should have contacted him about speaking with Jon. Jon Anderson arrived at 5:20 PM and Georgia shared her concerns with him. Jon explained the Doctrine of Quorum and advised the Subcommittee that they could revote on this issue. He did meet with Jeanette today about moving negotiations forward. Jeanette commented that NEA is very negative to the proposals that have been forwarded so he suggested that NEA come back with a counter proposal on everything that remains unresolved. Bruce came in at 5:40 PM. He has met with NEA and has given them until 6:00 PM to come back with something. Jon, speaking on behalf of the Subcommittee, stated that they would not mind if NEA took an extra half hour to come back with a comprehensive proposal to wrap this up. Bruce noted that, after reviewing all the tentative agreements, this was a pretty balanced negotiation. He left at 5:49 PM to report to NEA that the Subcommittee would like a proposal on all that is remaining.

Discussion ensued on salary increases and retroactive pay. The Superintendent stated that he cannot use seniority alone as the basis for transfers and layoffs. Jon noted that he wholeheartedly endorses the language that both groups have tentatively agreed to. The Superintendent and Sue are going through the process now and are looking at maybe two people who might be affected by the change required by the BEP. To clarify the issue, he suggested that the Subcommittee take another vote on Article 8P.

Gregory Kenney made a motion, seconded by Robert Cardozo and it was VOTED: To forward to NEA a counter proposal on Article 8P. In favor: Unanimous.

Bruce returned at 6:18 PM with NEA's counter proposal to Articles 8 and 13. He explained NEA's rationale on Article 13 – non-teaching duties. They have added NEA Vice President to the Subcommittee's counter of November 28th. As for Article 8P, they will submit a structured schedule so administration will know what is union time and what is non-union time. The Vice President would not have duties; this would be time for union business. Article 8 F-2, they would like to go with present contract. Jon asked Bruce to let NEA know that the Subcommittee will review this while they work on money. Bruce left at 6:35 PM.

Chair Cardozo questioned Article 13 A-4. The District would be giving away another block. Greg asked why they can't do what Westerly does and get NEA to compensate the District for union time. He noted that he does not agree that the Vice President should be included in this. Georgia felt the Vice President should have duties; she agrees with Greg. She asked how many people are affected by the non-assignment of duties. The Superintendent replied that there are at least twenty people to which Georgia noted that is too many. Barry explained that department heads have a free period to do department head duties. He does not feel that this is unreasonable. All agreed they did not want to include any more union officials in this and Greg added that he wants the District to be compensated for this time. The Superintendent reminded all that if they go with their counter proposal to Article 8P, they won't have to worry about the schedules because the union will be paying for their time. Greg replied that he would like to remove the sentence referencing the Vice President and change the teaching load to .4 FTE. Barry asked what the Subcommittee thought about adding the following to Article 8 F-2, "no Middle School teacher will teach 26 teaching periods for two consecutive years." The Subcommittee agreed to add this language and the Superintendent prepared the counter proposals for Article 8 F-2, Article 8P and Article 13 A-4. Jon brought the counter proposals to Bruce who suggested that the Subcommittee drop the sentence..."failure to notify the Superintendent by said date...". The Article was rewritten without this language. The Subcommittee also agreed that the NEA President should not be allowed to take overloads during union time and this Article was revised to reflect this. The Subcommittee approved the revisions and decided that three members should go out to meet with the Mediator and three members from NEA to try to move the process along. Jon, Bob and Georgia went out to meet with them at 7:29 PM. Bob returned at 8:28 PM as he had a question on the premium for employees who go with the new HSA. The Superintendent stated that they had a very conservative estimate of 22%; the copayment for employees for the first year was tentatively agreed to at 12%. Bob reported that NEA was given fifteen minutes to discuss the counter proposals that were given to them and Bob returned to meet with the group at 8:57 PM. As Georgia had to leave, Greg replaced her. Jon, Bob and Greg returned at 9:25 PM.

Jon reported that NEA has requested a salary increase of 1.75% for every step for the first year; 2.25% for every step for the second year; and 2.50% for every step for the third year. They also want an increase in longevity and an increase in advanced degree stipends. They won't budge on the 26 teaching periods at the Middle School and will reimburse the District for union time at the substitute rate. Discussion ensued on whether the reimbursement for union time would be at the rate of \$75.00 per day or long-term sub rate which is higher. Jon went out to request clarification for this. He returned and reported that they have offered to reimburse the District .4 of \$75.00 per day. The Subcommittee expressed their displeasure with NEA's proposal. Bruce was asked to join the Subcommittee at 9:33 PM. Bruce was informed that the groups are going nowhere. The Superintendent referenced one item they included was a memo drafted by the former Superintendent over eight years ago that no longer exists. It was not a Memorandum of Understanding and should not be included. Jon felt they were regressively bargaining; not in good faith. Sue was asked to run the numbers on the increases they have requested. Sue noted that in year one, the additional cost to the district for salaries alone would be over \$436,000; year two would be over \$685,000 and year three would be over \$1,057,000. These

figures do not include anything else. They don't seem to understand that the District is taking a hit with the cut to the regional bonus along with the cap that is mandated for the towns. We don't have this kind of money. Bruce noted that he will talk with NEA as he fully understands the regional bonus cut as he lives in Bristol and they have taken a bigger hit.

Discussion moved to whether or not the Subcommittee would be responding to NEA's proposal this evening. Jon noted that the group would have to review this and would not be responding this evening. They were asked to select a couple of dates for the next meeting. The Subcommittee offered Wednesday, February 6th and Thursday, February 7th. Bruce left to meet with NEA at 9:56 PM and returned at 10:15 PM. He reported that NEA has agreed to meet on Wednesday, February 6th at 5:00 PM at NEARI in Cranston. Bruce left at 10:16 PM.

Gregory Kenney made a motion, seconded by Robert Cardozo and it was VOTED: To return to open session at 10:16 PM. In favor: Unanimous (Ure was not in attendance for the vote).

Donna J. Sieczkiewicz, Clerk