

BOARD NEGOTIATION COUNCIL MINUTES
THURSDAY, JANUARY 16, 2020
GMTCC COMMUNITY EDUCATION CENTER

BNC members present: Sue Hamlyn-Prescott, Bill Sander (by phone), Katie Orost, Mark Nielsen
Others present: Charleen McFarlane, Deb Clark, Cat Gallagher (by phone), Patrick LaClair, Melissa Greenwood, Eric Hutchins, Lou Weller, Carol-Lynn Willean, Betsi Goodman, Erin Carr

1. Call to Order and Approval of Agenda

S. Hamlyn-Prescott called the meeting to order at 5:19. No changes to the agenda were suggested.

2. Board Negotiations Council – Executive Session

It was moved and seconded to go into executive session to discuss contract negotiations because premature general public knowledge would clearly place the school board at a substantial disadvantage, inviting D. Clark and C. McFarlane to remain, the motion was passed and the BNC entered executive session at 5:20. The BNC consented out of executive session at 5:59.

3. Joined by Teachers

Patrick LaClair read the following statement:

The teacher negotiating team in crafting and advocating for its proposals aims to promote a high quality education for our students and equitable wellbeing for our teachers. We believe that high quality education comes with well paid, well supported teachers. This belief underlies our proposal for increases to the base salary and the recognition of teacher experience with step movement. When teachers believe that they are not equitably paid, or when they do not feel that their community properly values their efforts, they may look for work elsewhere. As we have outlined in the rationale for our proposals, it is not difficult to identify districts neighboring or nearby where our teachers might start a career better compensated or later find significantly higher pay to the order of \$10,000 a year or hundreds of thousands of dollars over the course of their career. We are not asking to eliminate these disparities immediately, but rather to begin to close the gap, for we believe that as long as such a wide gulf exists between us and our neighboring communities, we will struggle to attract and retain the best educators and to provide the high quality education that our students deserve. Approaching the bargaining table with an open mind, we assume that our values are shared by the board negotiating committee. However, we are disappointed and troubled by the BNC's initial salary proposal. Lacking context, the proposal itself appears incomplete and shows little effort to address the longstanding detrimental inequalities in teacher compensation in our region. It is untethered from rationale and does not address the basic needs of teachers and as such we feel it lacks credibility as an opening offer. Furthermore, the BNC's full proposals show a lack of understanding of the financial realities of the teachers employed here. Considering the sum of the BNC's proposals, our already underpaid colleagues are being asked to surrender their insurance and sick leave buyouts in a year when insurance costs are drastically rising and work between 12 and 17 additional days per year. By conservative calculations, not including rising insurance rates or increases to the cost of living, the board is proposing, not a raise in due recognition of teachers' service, but rather a cut in the realm of seven

thousand dollars a year in wages and benefits. These numbers reflect not just a lack of respect for our profession but also a lack of compassion for the people charged with educating our community. Given this totality of the BNC's package of proposals we do not feel as though we can address them as is. Instead we request, with respect, and again assuming best intentions, that the board begin negotiations by providing a counter offer to our salary proposal, an offer that respects teachers and makes evident the board's commitment to supporting the education of our students and that we commence negotiations from that point this evening.

S. Hamlyn-Prescott said the BNC was going to start with the December 4 proposals, if that is okay with the teachers. P. LaClair said since many of those are tied to compensation it would be better to have two comparable salary propositions on the table.

S. Hamlyn-Prescott asked to caucus for a couple of minutes. The BNC left to caucus at 6:07 and came back at 6:13.

S. Hamlyn-Prescott said we do value all of our educators at all our schools. When we were figuring out our initial proposal we looked at it in terms of a total compensation package, which includes horizontal movements, co-curricular pay, worker's comp, and health insurance. There is also VSTRS. Districts now have to pay towards the retirement of each teacher who comes in. The comprehensive increase for our proposal was 3.64%, which we felt was very reasonable when we looked at CPI and the healthcare that will now be going into effect. The new healthcare agreement did not increase people's overall out of pocket because HRA's are different than before. A step is worth \$1170.

P. LaClair said he appreciates that the intent and the value is there. Unfortunately when they look at the proposal they see something that has a very minimal salary increase with simply a step, without a plan for what year two and potentially year three might look like. And then they see a slate of proposals that are taking away benefits teachers receive, including the insurance buyout and sick leave buyout, as well as the extension of the day. When they looked at that all together, it was hurtful to receive a package of proposals that seemed to disregard their value as teachers.

S. Hamlyn-Prescott said the BNC has discussed a second offer, but we have to understand more about the other money issues on the table. Is the association saying all other proposals regarding costs are off the table?

P. LaClair said the association would like to see a second offer that is more respectful. Teachers feel undercompensated and struggling to make ends meet. The compensation number is what is important to the teachers.

S. Hamlyn-Prescott said the BNC looked at where healthcare plans were with VEHI, where they are currently and where they are going, and in actuality teachers are in a better place. They have not lost anything in terms of health benefits.

P. LaClair asked if the BNC has a breakdown of that calculation. The association looked at out of pocket expenses and saw a \$500-700 increase in premium and out of pocket expenses.

S. Hamlyn-Prescott said in terms of out of pocket, now the HRA that is set up is first dollar on our side, so in actuality the cost in terms of out of pocket is going to be pretty minimal. We can share that with the association but it is a pretty straightforward formula. P. LaClair said it would be excellent to see. Being able to see the support for what the BNC is proposing is important.

S. Hamlyn-Prescott said the BNC needs to understand where the association sees the other cost-related proposals if we are to look more at salary. Regarding professional days, language was added in the last round of negotiations to add flexibility so professional days could be used in summer. Professional days include extra costs for transportation, etc. This is a proposal that would be a cost.

P. LaClair said the association is interested in discussing proposals but they feel they have submitted a salary proposal that is hard to compare to the BNC's salary proposal because they don't know what the full proposal looks like or the term of the contract. Their proposal is for a 3-year contract and they have the first year from the BNC of what might be a 2 or 3 year contract. They want proposals that mirror each other so they can compare apples to apples

S. Hamlyn-Prescott said the BNC is proposing a 2 year contract. We are not interested in a 3 year contract because we will be looking at healthcare costs that are being negotiated statewide and have financial impact on all schools.

S. Hamlyn-Prescott said in its caucus the BNC discussed a second salary proposal: a step with \$350 added to the base. They don't have a year two proposal at this time. This proposal is a 4.19% increase overall.

P. LaClair asked if the BNC can share what factors it is looking at when talking about a comprehensive increase. When the association team was looking at the BNC's first proposal with the tool D. Clark had provided they were seeing a 2.17% increase for the step. He doesn't think a \$350 raise to the base increases that to 4.19% so he is sure the BNC is looking at other things. It would be nice to have those as points of reference.

S. Hamlyn-Prescott said the BNC also considers cost to the budget for co-curricular stipends, FICA, workman's comp, and horizontal moves, which all affect overall cost. There is an increase in healthcare on the employer side and the HRA is now employer first dollar and a higher amount than previously. Then there is VSTRS, which is for new teacher retirements. There is an amount we are obligated to pay for each teacher each year. There is dental insurance, life insurance, and the tuition benefit. We combine all those for total compensation. That is where it comes out to 4.19% with \$350 on the base and one step.

P. LaClair asked why at this point the BNC is not proposing a second year. Sue said we met last week and decided on the first year based on what we heard about health insurance. We

decided to focus on the first year. We were planning to put out the second year during the negotiation session. We wanted to go over all the costs going forward that could impact our decisions.

P. LaClair said it is important to the association to have a sense of where the BNC stands for the second year. One year felt incomplete to them.

S. Hamlyn-Prescott asked if the association wants to go forward with anything else tonight. P. LaClair said the first step would be to have the full proposal and consider from there.

The BNC left to caucus at 6:32.

It was moved and seconded to go into executive session to discuss contract negotiations because premature general public knowledge would clearly place the school board at a substantial disadvantage, inviting D. Clark and C. McFarlane to remain, the motion was passed and the BNC entered executive session at 6:32. C. Gallagher joined the executive session by phone. The BNC consented out of executive session at 6:59.

S. Hamlyn-Prescott said the BNC is willing to look at salary schedules for year 1 and year 2 with healthcare according to Section 8 only if all other language proposals on both sides are taken off the table. With Act 11 we have to look at healthcare. We can't predict cost drivers for the second year with some of the proposals out there.

P. LaClair asked when the other proposals come back on. S. Hamlyn-Prescott said not for these 2 years.

P. LaClair said the association's expectation was a complete salary proposal. If the BNC doesn't have the full proposal they can provide the time for that to happen. A lot of the other proposals are really important to them. It would be a shame and he thinks unacceptable not to discuss them. It seems they submitted a complete salary proposal and received half of one from the BNC. S. Hamlyn-Prescott asked, the association is not willing to take all the other language pieces off the table? P. LaClair said they would like to proceed with seeing a full salary proposal.

The BNC left to caucus at 7:03.

It was moved and seconded to go into executive session to discuss contract negotiations because premature general public knowledge would clearly place the school board at a substantial disadvantage, inviting D. Clark, C. McFarlane and C. Gallagher to participate, the motion was passed and the BNC entered executive session at 7:03. The BNC consented out of executive session at 7:07. They rejoined the teachers.

S. Hamlyn-Prescott said the BNC will give a proposal for the first two years. For the first year they propose one step and the addition of \$500 to the base and for the second year they propose a step and \$350 added to the base.

P. LaClair asked, that is a different year one proposal than what was proposed earlier? S. Hamlyn-Prescott said yes.

P. LaClair said the association will caucus. He asked if S. Hamlyn-Prescott would care to run down the BNC's thinking on the December 4 proposals.

S. Hamlyn-Prescott said we spoke about it being a 2 year contract. She said the BNC doesn't see putting in additional language regarding transacting association business. Currently the association is allowed to transact business at the schools and there are already guidelines regarding email within the district. P. LaClair asked about the district guidelines regarding email. S. Hamlyn-Prescott said they may be building-based. She doesn't know if they are written guidelines. But the things the association requested are already occurring in all buildings. We don't see that providing specific language in the contract is necessary.

S. Hamlyn-Prescott said we negotiated language regarding professional days into the contract last time based on feedback from the association. The BNC felt we came to mutual agreement. There would be cost increase if the language on professional days was changed as proposed.

Regarding the association's 4th proposal, S. Hamlyn-Prescott said we looked at other vocational centers. Our current contract is very generous regarding how teachers move compared to others. P. LaClair asked about the number of tech centers the BNC looked at. S. Hamlyn-Prescott said we looked at 5.

S. Hamlyn-Prescott said, regarding the proposal for SLP's, in order to get the clinical certification they need for AOE certification they already have to have this certification in place, so it is already part of their AOE certification in order to have a job.

S. Hamlyn-Prescott said in terms of tuition benefits, in the last round of negotiations we incorporated some online fees. At this point in time we feel this benefit is more generous than many of the school districts we have looked at in Vermont. Prior to the last negotiation there was no compensation for access fees for online courses. We included that in the last round so additional fees are now being covered.

P. LaClair said regarding the BNC's December 4 proposals the association had had some questions or modifications they were looking for. S. Hamlyn-Prescott addressed those. She said in FY19 14 teachers requested extensions and 11 of those resigned. In 2020, 22 requested extensions and 5 of those resigned. They all waited until the very last day to say whether they were staying or going. That makes it difficult for us to be able to hire people. That is why we proposed moving the extension date to May 15.

S. Hamlyn-Prescott asked if the association had an issue regarding the 5.3 proposal. P. LaClair said their issue was that it should be clear that they will be paid their premium rate. The premium rate is for student contact time. They want to make sure it is always interpreted at that rate regardless of whether there is student contact. Sue asked if full-time teachers get the premium rate when they go to inservice. P. LaClair said yes. S. Hamlyn-

Prescott said this would be the same. P. LaClair said he could envision an administrator checking a box indicating the standard pay rate. He doesn't think it takes away anything to specify the premium rate. Otherwise it could be applied differently in different schools.

S. Hamlyn-Prescott said the BNC would like to keep "a representative" rather than "representatives" in Article XIII. There is a lot of education going on for building associates about the current contract. P. LaClair said the association will discuss that.

P. LaClair said the association would like to caucus for about 20-30 minutes. They will also look at possible next meeting dates, maybe the week of February 17.

The two groups separated to caucus.

It was moved and seconded to go into executive session to discuss contract negotiations because premature general public knowledge would clearly place the school board at a substantial disadvantage, inviting D. Clark, C. McFarlane and C. Gallagher to participate, the motion was passed and the BNC entered executive session at 7:19. The BNC consented out of executive session at 7:53. They rejoined the teachers.

It was agreed to schedule the next meeting for February 19 at 6:00.

P. LaClair said the teachers think they will be coming back with a salary counter proposal at the next meeting. He thanked the BNC for the steps. That is due recognition of teachers' experience. When it comes to the base, it is essential for them to see it grow, especially given the switch to a dollar increment pay scale. They feel we can increase competitiveness by raising it more quickly than in the past. They will be coming back with a more substantial raise to the base. They have a few pieces they are willing to take off in exchange.

P. LaClair said the teachers are willing to take their professional days proposal off the table. They are also willing to take the ASHA certification proposal off the table. The first December 4 proposal from the BNC is not really something they can work with. Teachers use that time. At the high school at least they have come to expect that the principal will post the position of someone who requested an extension as an anticipated opening. They would encourage that and also they can work with union leadership to make sure employees get the message that when receiving an extension there is courtesy involved and they should notify central office prior to the last date if they don't need the full extension.

S. Hamlyn-Prescott said she believes the issue is that we have lost teachers who applied for jobs when we weren't able to guarantee them a job because people were waiting to let us know if they were leaving. They weren't going to wait until May 30 to decide which district they would work for. And it cuts close for people to get a provisional license from AOE before the start of school. And, as the association heard, the number of people requesting extensions over 2 years was 36. That is a lot.

P. LaClair said there is no denying that is a lot of people. For them it is important to protect the flexibility of teachers during that period. Contracts all around the state have different

starting and ending dates for the extension period and there are different start and end dates for the hiring process and when jobs are posted. Without alignment, halving the length of the window is going to be a detriment to faculty.

S. Hamlyn-Prescott said she is hearing that in order for association proposals 3 and 5 to come off the table the BNC would have to take off the proposal regarding 4.22. P. LaClair said that is right. They would work with teachers to make sure they are aware that a contract renewal extension places a burden on central office and teachers should be speedy as a courtesy if they don't need the full extension. Union leadership will hopefully work with central office to resolve problems

S. Hamlyn-Prescott said in 5.3 we will insert the language "and will be compensated at their premium rate for inservice non-instructional days beyond their contracted FTE." Does that meet with what the teachers were looking for? P. LaClair said he thinks it does.

S. Hamlyn-Prescott gave P. LaClair the list of tech centers the BNC looked at for comparison.

P. LaClair said it makes sense do a tentative agreement on a contract length of 2 years and the 5.3 proposal. S. Hamlyn-Prescott said the BNC has no clean copies. We could probably do it at the start of the next meeting.

S. Hamlyn-Prescott offered to speak about the BNC's latest proposals. P. LaClair said that could be helpful. It would also be helpful, since they are planning on coming back with a counter proposal on salary, to hear some of the BNC's considerations on that.

S. Hamlyn-Prescott said the BNC is looking to remove language in 4.6 because OSHA is law and we feel it is reiterating what is already in law. Regarding 4.6.3, Rule 4500 governs use of physical restraint. In each building, staff are designated and trained in proper technique. The district does not make restraint training available to any interested teacher as noted in the last sentence. Staff can always block to protect themselves but won't need any type of physical restraint. We are looking to strike that language to go along with Rule 4500. The language is actually a liability.

P. LaClair said for the association it is important to align with the support staff contract and make sure there is some direction provided in the contract. S. Hamlyn-Prescott asked what the association is proposing. Patrick said they need to talk to Darcey Fletcher and come back with some language.

S. Hamlyn-Prescott said in terms of medical leave our district currently has one of the highest amounts of accumulation days. Only 60 days are needed to satisfy FMLA leave before long term disability can be implemented.

S. Hamlyn-Prescott said 7.3.7 would be contingent on 7.3.1.

The BNC wants to move the date to notify of a retirement to no later than December 1 because January is too late for our budget development. P. LaClair asked if the association could receive information on when teachers have generally given their retirement notices in the past. S. Hamlyn-Prescott said yes.

S. Hamlyn-Prescott said based on increases in health insurance the BNC is proposing cash in lieu go to \$2500. The healthcare proposal also has a section stating that because there is a statewide contract now, any person whose spouse or parent is already employed in the state part of the healthcare system is not eligible for cash in lieu.

P. LaClair said he doesn't fully understand how that is the logical outcome. S. Hamlyn-Prescott said now that there is statewide healthcare if we are already paying as a state for one employee, they are already covered so there is no reason to pay someone cash in lieu because they are already covered under the health system. P. LaClair asked, what is the difference between saying that and saying no one employed in the district receives the cash in lieu? S. Hamlyn-Prescott said because it's now a state contract, it's all one bucket of money, so it applies to anyone employed under the state contract. P. LaClair asked, would there be savings for the district under that situation? S. Hamlyn-Prescott said she doesn't know who has spouses or parents who work in other districts. Overall we are just looking for it to become consistent across the state and that everyone has a healthcare plan.

S. Hamlyn-Prescott said we are including a grievance process because questions can come up as the new system is rolled out. All questions will be directed to the commissioner's team of both sides and resolution can occur. That is the same across different districts. This is an imposed award. That is why there is a reference to the award and it is not part of the contract.

S. Hamlyn-Prescott said in Appendix D we are looking for the contracted paid hours not inclusive of lunch to go to 7.5 with a workday from 7:30 to 3:30.

P. LaClair asked what the motivation is for this proposal. S. Hamlyn-Prescott said we have brought it forward the last 2 or 3 negotiations. It came from administrators across the district. It is to make a standard work day for equity across the schools.

P. LaClair said they can get behind the spirit of the proposal, but not the 8 hours. S. Hamlyn-Prescott said we are looking for 7.5 contracted hours. P. LaClair said the teachers need to continue to think about that.

P. LaClair asked S. Hamlyn-Prescott to walk through considerations regarding salary that the BNC will be thinking about. S. Hamlyn-Prescott said every time we increase the base it also increases supplemental pay and premium rate pay. Any increase in the base has a rippling effect throughout the budget. We know what the healthcare costs will look like for the first year and we know the increase for the school budget. As the base goes up it ripples across FICA, etc. We have to look at the comprehensive overall increase. Any proposals the association still has on the table around money items would affect it also.

P. LaClair summarizes what he thought had been agreed on: the association will drop December 4 proposals 3 and 5 and the BNC will drop its first proposal from that meeting, there is a verbal tentative agreement for scheduled inservice at the premium rate and for the length of the contract. S. Hamlyn-Prescott said the association dropping 3 and 5 and the BNC dropping 1 is only under consideration. The BNC hasn't caucused on that.

P. LaClair asked if the association can get the digital recording of this meeting. S. Hamlyn-Prescott said no, because the recording includes executive session discussions. P. LaClair said in the future they will be looking to have access to meeting recordings and they may try to get access to the open meeting parts of tonight's recording.

S. Hamlyn-Prescott said the third of the most recent set of proposals from the association would definitely be a money item that would impact salary proposals. It is the BNC's understanding that the elementary schools pay supplemental pay for many extra duties. In terms of sports, middle and high school sports are governed by VPA and elementary sports are not. At three of our elementary schools sports are managed by town recreation groups. Another has parents involved. The BNC does not see sports as being something that would be under extra duty at the elementary level but other extra duties are already being paid by supplemental pay. We think this is already covered.

P. LaClair said in its rationale the association doesn't mention sports as an item. They are aware that compensation is already being given but there are some duties like advising for the Fine Print literary publication, student council advising, or work on spelling and geo bees that is not being compensated. He thinks that is something that may just need to be left as an open issue at this point. The teachers will keep it in mind as they put together their salary proposal. S. Hamlyn-Prescott said many of the extra duties the BNC thought of were already being paid. P. LaClair asked if the BNC can get the association that information. S. Hamlyn-Prescott said she doesn't have an answer on that. P. LaClair said the association has asked teachers about compensation for these things. If there is a more accurate rather than anecdotal record, they would love to see it. S. Hamlyn-Prescott said she will ask about that.

The next meeting will be on February 19. S. Hamlyn-Prescott said the BNC will not be able to meet again after that until March 19 or later as some people will be on vacation.

4. Adjourn

It was moved and seconded to adjourn at 8:44 and the motion was passed.

Minutes submitted by Donna Griffiths