



# NEGOTIATION TRENDS IN SCHOOL DISTRICT COLLECTIVE BARGAINING 2024

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# INTRODUCTION

The high inflation of 2022 and the persistent increases in health insurance costs have impacted negotiations in area school districts and BOCES, making cost containment of instructional and non-instructional salaries a great challenge. The significant increase in the New York Minimum Wage Law has also placed pressure to increase entry level non-instructional wages.

The threat to assuring Foundation Aid at least at current levels looking towards the future, gives pause to entering into long term collective bargaining agreements. The Tax Levy Limit Law presents a challenge to attempting an upward tax levy rise.

What to expect in 2024 Negotiations?

## Salary Trends

- The trend towards settlements of 2%+ step advancement is abating
- The Unions seek additions to longevity or the creation of additional steps to produce more income for senior faculty members who are no longer eligible for step advancement.
- The extension of salary schedules to “cost down” step increment has slowed from past rounds in negotiations.
- Adding interior mini-steps to existing salary schedules has slowed from past rounds of negotiations.
- Using “off-schedule” monies has not been a feature of recent settlements
- Union demands to monetize frozen steps have increased from past year demands.

## Health Insurance: Active Employees and Prospective Retirees

- The trend among school districts continues to be movement towards the employee's share reaching 20% of the cost of individual/two person and family health insurance premiums.
- Due to health insurance premium costs increases averaging 10% per year in the three most common plans (NYSHIP, NWPSC and SWSCHP) increases to the employees' health insurance premium share has been lower (e.g. .25% or .5% - less that 1.0% per year).
- District proposals to increase the share of health insurance premiums by prospective retirees continues to be a subject of negotiations.

# MEDICARE REIMBURSEMENT FOR PROSPECTIVE RETIREES

School Districts continue to seek to reduce the costs of Medicare Part B reimbursement:

- Limit the District’s reimbursement to solely Medicare Part B premium costs at the “floor” or standard level.
- Limit the reimbursement to the employee only (not the spouse as well)

## Control Over Graduate Credit and In-Service Credit Conferral

- School Districts seek to maintain control over coursework approval.
- Limitation on the number of credits which may be earned through in-service courses.
- Review authority of committees established by contract to recommend credit approval.
- Review limitations on periodic posting of credits towards lane movement (where applicable)
- Review limitation on lane movement – once per year or every other year.

## Disciplinary Arbitration for Non-Instructional Personnel

- School Districts and BOCES dodged a legislative bullet this spring when the Governor vetoed a bill passed by the NYS Legislature to change Civil Service Law §75, which provides a pre-disciplinary hearing for competitive class civil service employees, as well as non-competitive and labor class employees who serve for at least five years. These hearing rights are also provided to certain military veterans and volunteer firefighters.
- The legislation would have done away with pre-hearing suspension without pay, the ability of the District to determine who would serve as the hearing officer and to require a court order to continue pre-hearing suspensions beyond 30 days.

## Disciplinary Arbitration for Non-Instructional Personnel

- The Governor's veto message encouraged collective bargaining to address the union's concerns.
- It is worthy of consideration to replace the statutory provisions of C.S.L. §75.
- Arbitration in lieu of the statutory provision assures that a court will not reverse the discipline meted out by the arbitrator, in which event the only offset to back pay would be unemployment insurance payments to the employee.
- The arbitrators would be mutually agreed upon and stated in a contractual provisions.

## Disciplinary Arbitration Clause in Lieu of CSL §75 Hearing

**Contractual Disciplinary Procedure** - In lieu of Section 75 Civil Service Law proceedings, those bargaining Unit members who have rights to hearings pursuant to Section 75 of the Civil Service Law and non-competitive class employees after completing three (3) years of employment in such service in the District, hereby collectively waive the right to such hearing and in lieu thereof, shall be entitled to disciplinary arbitration to be held before one of the contractual arbitrators set forth in Article XXX, who shall be selected on a rotating basis as indicated at the arbitration step of the grievance procedure. The costs of the arbitration shall be borne equally by the parties. Apart from having a disciplinary arbitrator serve in lieu of a hearing officer under Section 75 of the Civil Service Law, all of the other procedural and penalty attributes of Section 75 of the Civil Service, including pay rights, shall be applicable to disciplinary arbitration. The decision of the disciplinary arbitrator shall be final and binding upon all parties.