

**Collective Bargaining**

**April 26, 2022**

**4:00 PM**

**Bitterroot Valley Education Cooperative**

**And**

**The Cooperative Employees' Bargaining Unit 4403, MFPE, NEA, AFT, AFL-CIO**

**Attendance for Union:** Karen Gideon, Lindsay Davis, Erin Bauer, Rachella Moresi

**Attendance for Management:** Dr. DoBell, Dr. Moore, Jenny Rammell

**Other Attendees:** Jill Reynolds, Chris Hughes

**Start Time:** 4:02 PM

**Time Constraints:** None

**Minute Taker:** Jill Reynolds

**Public Comments:** Jenny stated no public comments have received.

**Review/Approve prior meeting minutes:** The association reviewed their edits to the draft minutes, the group discussed the changes, edits were made as agreed to by both management and the association.

**Agenda Items for today:**

- A.** The association will finish presenting their high priority items.
1. Karen read the current language for the Retirement Incentive, Article 4.4. Karen then reviewed the history of retirement incentives stating that not many people have retired, and the Board response has been scattered. One person received approximately \$18K, another person's incentive request was denied, Board has never offered an incentive. The association would like to change the wording from incentive to benefit with predictable amount offered. Karen presented some of the other school district retirement incentive language.

Karen presented the association proposal to change Retirement Incentive to Retirement Benefit; the benefit would be paid to employees with 10 or 15 years, didn't specify 10 or 15, because they weren't sure of the year but wanted to make a suggestion; 50% of sick leave up to 101 days would be paid at the employees average daily rate for the last three years; no less than six thousand dollars would be paid; if the employee has a shortage of sick days the cooperative makes up the difference. (See attachment with complete proposal) Dr. DoBell explained any retirement language should be approved by Shawn Graham at TRS to avoid any potential issues with retirement offers. It has

caused him problems in the past when he has not had their approval. He also cautioned the association to be able to define their intent. Dr. Moore also explained the potential of an employee being responsible for paying a significant match amount. Chris expressed his confusion in using the term benefit versus the term incentive. Dr. Moore explained that a Board can offer a retirement incentive regardless of a bargaining agreement unless that agreement is restrictive. Dr. DoBell stated he does not have history of decisions in the past, but he does want to be fair and equitable and needs to know the defined intent.

Karen stated this item would be tabled while the association gets more information.

2. Erin reviewed the association proposal to add language to the agreement regarding workday and work year to address the differences in the various school schedules. The association would like to move some of the language in policy to the bargaining agreement, but not all policy language. The association proposes removing the specified range of hours for taking a lunch break and they would like to request flex time for after hours work required for IEPs, Evaluations, etc. The flex time would accrue throughout the year and should be used by year end; the flex time would be taken on a scheduled day at the school where the time was earned. Any unused days would be rolled into sick leave. Chris asked to clarify if they were asking for a 7.5-hour minimum day or a 7.5-hour maximum day. Dr. Moore asked how many schools currently schedule IEPs and evaluations after school. Currently only one school, schedules these after school hours. Jenny stated current policy allows staff to request flex time for these occurrences when time goes past one hour over normal end of day. Karen replied staff do not all know about this or request it. Karen spoke to some occurrences where Victor days can get very long if a meeting goes past normal school hours because they already have a longer school day. Karen stated it would be nice if they were given the benefit of the doubt that they put in the extra time. Dr. Moore asked to clarify what happens with a Victor 9.25-hour day when the proposed language specifically addresses only 7.5-hour days. Rachella replied they would add language like what is in Article 3 paragraph 2. (See attached for new language to be added to Article 8)

There was a break from the agenda to discuss the bargaining process. Dr. DoBell wanted to clarify if we use interest based. Dr. Moore stated we had not historically used interest-based bargaining. Chris restated what was agreed to at the first meeting, that both management and association would first put all their high priority topics on the table, then we would discuss them.

3. The association presented their proposal to add new language to the agreement regarding employee transfers allowing employees to notify the cooperative if they are interested in a transfer to another site, differentiating between Specialist and CSCT staff as the roles are very different, have a monthly

discussion among CSCT staff like Specialist do at their meetings. Rocky stated it sometimes feels like they do not have a choice in a transfer, now that it is difficult to fill positions it is not the best option not to include them in the decision to make a transfer, and to keep the best interest of the client in mind when making the decision. The association proposed language that there be no repercussions for an employee that resigns versus making a requested transfer that might not work for them personally. Dr. Moore stated the association need to be specific on their meaning of repercussions. (See attached for new language, new Article 9)

4. The association is proposing changes to Family Leave and Sick Bank Access. The association proposes changing Sick Leave Bank Article 3.F to allow employees to access the sick leave bank for maternity leave versus only serious health conditions, cap the number of days allowed for maternity leave at 45, and strike the language “after all sick leave and personal leave are exhausted”. (See attached for complete language changes)
5. Rocky reviewed the association proposal to add language or a memorandum of agreement regarding the committee to review the evaluation process. Dr. Moore asked for history regarding the committee. Rocky explained during last bargaining we had agreed to convene a committee to review salary matrixes and a committee to review the evaluation process. Management and the association agreed to convene the salary matrix committee first since it was a priority. Jenny stated we had agreed we would convene the evaluation process committee after bargaining. Chris asked to clarify if the intent is to review the evaluation process for performance appraisal or the quality assurance process. Rocky replied that is what they want to clarify, what is the process for both. Dr. Moore stated there are some things we are required to do to check the box for Federal/State funding and they are non-negotiable. Dr. DoBell asked to clarify if the intent is to review the procedure or the instrument. Rocky replied it is the procedure.

At this time, the association concluded their high priority topics.

Dr. DoBell and Dr. Moore requested they send everyone their language proposals for review. Karen will send them to Jill who will send them to everyone.

#### **B. Management response to the association’s salary matrices proposals**

1. Jenny stated it was obvious the association spent time and thought about the matrices and the management proposal with a counter proposal that was similar in dollars to the management proposal for the next two years. She thanked them for their rigor. Jenny explained the management proposal addressed the next two years, but also had to consider the cooperative sustainability over the long term, and the management proposal was the best we could offer at this time.

Dr. DoBell shared his views on where we are in the bargaining process. He feels there are instances where management and the association are polar opposites and we should tread lightly, honor people's feelings, and remember we are talking about kids. We are a smart group with experience, and this is going to take compromise from both management and the association.

The group reviewed the file with side-by-side comparisons of the management and association proposals for all schedules, the two-year costs of each, and the 5-year costs of both programs. Dr. Moore stated he has to look at this in terms of sustainability and frankly our current schedules and past schedules are not sustainable. Dr. Moore wants to avoid a future where management and the association sit in a room and say, "we are in trouble." He also stated it is very hard to obtain employees now, both in schools and in the cooperative, and we need to address the base salaries in order to hire new employees, while honoring the long-term employees. Dr. Moore expressed his concern when the five-year impact of the association proposals totals \$113 thousand dollars. Chris expressed the sincerity in the management proposal to be the best possible offer, that management had looked at various options including steps with a flat percentage growth which is basically like compound interest and just continues to grow. This is how we got into trouble a few years ago and had significantly change the CSCT matrices in the number of steps, the base and the maximum salaries, and the step increment amounts. Chris explained that management would really like to avoid those types of issues in the future and the financial risk to sustainability, especially with base increases, would be difficult for him to support.

Karen stated that the association MFPE representative, Melanie Charlson, stated usually a matrix starts at 1% on the upper left going to 2% on the bottom right, but this is for schedules with steps and lanes, not sure how that compares with ours where we only have steps. Karen stated Melanie also said she had not seen a schedule with declining percentages. Jill referred her to the Cabinet Mountain, MAEC and MCPS matrices, as well as the Stevensville Public Schools matrix. Chris reiterated management proposal was to correct issues with the bottom of the matrices and address sustainability.

Dr. Moore explained some other options with matrices, including managing two sets of matrices where the current matrix is frozen and a new one is in place for new hires. At certain steps employees might move from the current matrix to the new matrix, but once they do that they cannot move back. He also cautioned that this option would take a significant amount of time and effort.

Jenny and Chris asked if there were other questions regarding the management proposal and counter proposal? Were there any suggestions for compromise that would address any concerns? There was group discussion to the fact most

concern is addressing the proposals for the top end of the matrices. Dr. DoBell recommended tabling all other topics, like Retirement, until the matrices are resolved as it is all one big package. Rocky asked about the impact of flipping the percentage increases in the management proposal so the increase from step 0 through step 25 versus decrease from step 0 to step 25. Jill replied she could not give an exact number, but it would be the same as our existing schedule for Specialist.

There was discussion regarding funding of programs. Karen asked if it made sense to keep CSCT in the discussion since they are self-funding. Chris explained that yes it does as we will be using one-time funds and grants to cover the increase and a \$73 thousand dollar increase over 5 years is concerning because we do not know what funds we will have available in future years. Karen asked about spreading out the increase. Chris explained that we had five resignations in one month this year, we have a schedule for Mental Health Therapist where employees with a master's degree make less than half the salary on the Specialist matrix. Rocky agreed with Chris's concern for the long-term sustainability of the CSCT program.

Erin asked about looking at just the top end of the Specialist matrix. Jenny stated we do have longevity bonuses. The cooperative does want to be competitive with other employers and be a little better, when possible, but the current Specialist matrix is significantly higher and has been for some time on the top end. Karen asked to clarify if management is staying with their original proposal and Jenny clarified that is management's counterproposal, no change from original proposal.

Chris asked if we should be talking about dollar amounts of increases versus percentage increases as dollars are what we budget. Chris pointed to the fact the dollar increases by person in the management proposal are similar by person. Jill spoke to the management placement of employees on the schedule using the current bargaining language to honor up to seven years' experience for Specialist and three years' experience for Therapist and the impact to hiring if we were to lower those years of experience. Chris asked if there were other ideas and Karen asked about looking at other percentages. Jenny stated that we had looked at other percentages. There was additional discussion regarding looking at percentage increases versus dollar increases, the impact to employees at the top end of the matrix, the impact of any future base increases to the maximum salary. Rocky stated they had been stuck on the percentage increase versus the dollar increases and asked about targeting the same dollar increase for everyone. Jill stated the concern this might have on the placement of people to ensure new employees do not get hired at a higher salary than an existing employee which was an expressed concern of the association. It might

also impact the dollar amounts in the lower end of the matrix being competitive with other employers.

Karen stated the association will need time to review everything discussed today.

Jenny discussed the need for the cooperative to distribute contract renewals via Notice of Reelections. The cooperative intends to include verbiage in the attached letter that bargaining is ongoing, and we are bargaining a significant increase in base salaries. We feel this is necessary in case we have any employees considering leaving for a higher salary and we specifically need to know if any CSCT employees intend to leave before summer as we are in the process of making summer program plans.

**Next meeting** is scheduled for Thursday, May 12<sup>th</sup>, 2022, 9 AM to Noon in the BVEC Conference Room. Another meeting is scheduled for Thursday, May 19<sup>th</sup>, 2022, Noon to 3 PM in the BVEC Conference Room.

**Meeting adjourned:** 6:17 PM