

## **BVEC COLLECTIVE BARGAINING**

### **MINUTES – Final**

Tuesday, March 26, 2024

4:00 PM – 5:30 PM

BVEC Conference Room

#### **In Attendance:**

BVEC Director Jenny Rammell

BVEC Board Chair Dr. Robert DoBell, Lone Rock School Superintendent

BVEC Board Member Mr. Todd Fiske, Florence Carlton Schools Superintendent

BVEC Administration Ashley Gillespie, Clinical Supervisor

BVEC Association Members:

Karen Gideon, Treasurer

Cami Hildebrand, President

Liz Pepion, Vice-President

BVEC Business Manager, Jill Reynolds – taking notes.

- I. Welcome and Call to Order** – Ms. Rammell called the meeting to order at 4:04 PM. She explained that Dr. DoBell was in another meeting and would probably join us later by phone or Zoom. Dr. DoBell joined the meeting via Zoom at approximately 4:20.
- II. Approve Minutes for March 18, 2024** – There were no requests for changes, minutes were approved.
- III. Public Comment or Correspondance** – None.
- IV. Continue CBA Review**

Ms. Rammell led the group through the items we had reviewed at the prior meeting but had not officially noted as a Temporary Agreement. The following items were discussed and noted as TA in the CBA 2024-2026 Draft, pending review by the Cooperative attorney.

- (a) Article 1, E.1.b. rewording of Classified Behavior Consultant moving to Salaried Behavior Consultant.
- (b) Article 1,2.e. and 2.f. removed from CBA as positions are obsolete and the State limits our Cooperative to Ravalli County. In addition, Article 1, E.3. stipulates inclusion for new positions.
- (c) Article 3, updated definition of immediate family and added “discretion of the Cooperative Director” for any additional situations that might arise.
- (d) Article 3, A.6. removed the stipulation of “after five years”.
- (e) Article 3, B.2. changed wording from “employee signs their first contract” to “employee signs their annual contract”.

Article 3, B.1. Cami expressed concern over the language in the second paragraph. She finds it confusing and would like to clarify the language. She will bring recommendations for changes to our next meeting.

Jenny reviewed the Association request to change our leave from separate Sick Leave and Personal Leave to Discretionary Leave. She explained that unlike schools, we can't get substitutes for our staff roles, which means when an employee is not at school students are not receiving services. This also leads to a loss in billable services for both Special Education and Mental Health. Jenny also explained that as the Cooperative works to maintain sustainability, she felt this change would not be in the best interests of the Cooperative. In addition, the Cooperative feels this is a procedural concern versus a bargaining agreement issue. There was discussion regarding the reason for the Association request for this change was to confirm and ensure that Mental Health days were covered by sick leave. Jenny agreed to adding detail to the employee handbook an explanation of sick leave to include "physical and emotional" issues, final wording to be determined. The Association agreed to removing the request to change to discretionary leave if the handbook was updated to include an explanation of sick leave.

Jenny reviewed the Association request to change the minimum sick leave charged from one hour to allow for leaving thirty minutes early and not be charged for sick leave, but instead be able to make up the time on another day. Jenny explained that as she considered this request, she was concerned with the ability to make up the time with face to face time with a student, losing billable hours, and that as an agency that provides high quality services that is trying to ensure sustainability, she did not find this to be in the best interests of the Cooperative. In addition, this would fall under a procedural issue versus a bargaining issue. Karen presented her point of view that this might actually increase time with students, because some employees might be taking an hour when an hour isn't needed because they know they will be charged for an hour. Also, because Cooperative staff hours are fifteen minutes before school begins and fifteen minutes after school ends, that when they take thirty minutes, they are only missing 15 minutes with students. Jenny explained she sees Karen's perspective, but in the bigger picture she sees this as an interruption of services and the number of people that could take advantage of this could lead to significant loss of time with students. Unlike schools, the Cooperative staff is spread out over nine schools throughout the valley, which makes this difficult for us to manage. Dr. DoBell added that this is a managerial right versus a bargaining agreement issue.

Jenny reviewed the request from the Association to pay stipends as a separate check versus including them in one check. She explained that this was a managerial issue versus a bargaining agreement issue. Jenny presented an alternative to add some type of recognition to the paystub email. Jenny also explained there is a cost to multiple payrolls, and more chance of errors in the process. Mr. Fiske also stated he understands the additional effort

involved in processing multiple payrolls and having to process payroll liabilities such as federal and state taxes multiple times.

Article 3.F. FMLA – Jenny explained we are awaiting the attorney’s recommendation for this section. The Association expressed concern over employee eligibility for FMLA and distributed a copy of the US DOL Fact Sheet #28 regarding FMLA. They highlighted the section for local education agencies showing they are included regardless of the number of employees. This was in the section for “Covered Employees” not “Eligible Employees”. Jenny explained that as a local government, not a Local Education Agency, the Cooperative does qualify as an agency that would provide FMLA, but as noted in the eligible employee section for an employee to be eligible for FMLA the “employer has at least 50 employees within 75 miles”. The Cooperative does not have 50 employees, therefore employees are not eligible. This has been verified by attorneys on multiple occasions, but Jenny is going to follow up with them again.

**V. Future Meeting Dates –**

- a. April 10, 2024, 4-5:30 PM in the BVEC Conference Room
- b. April 15, 2024, 12:40-3:30 PM in the BVEC
- c.

**VI. Adjourn – Meeting adjourned at 5:39 PM.**