

Collective Bargaining

May 12, 2022

9 AM-12 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, Ms. Woodard, Jenny Rammell

Other Attendees: Jill Reynolds, Chris Hughes

Start Time: 9:02 AM

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. Two items were identified by Karen for editing. Jill would like to review these again at next meeting to clarify changes.

Agenda Items for today:

A. Salary matrices discussion continuation.

1. Jenny explained the Management discussion and time spent on the Management proposal for salary matrices. Management used salary committee discussions, the employee survey where salaries were rated as higher priority than benefits. Jenny explained that at this time we have immediate needs that must address so the cooperative has comparable pay to other providers, for cooperative to continue our programs and to retain current employees and recruit new employees and the time to do that is now. The cooperative has a short window of time to use the ARP IDEA and supplemental funds to address the CSCT matrices issues and the Specialist matrices. Jenny explained the Specialist matrix base need to be increased for recruiting and we have known for some time the higher end of the matrix is an ongoing issue. Prior to Jenny taking the Director role this was discussed as an imminent issue in previous bargaining. Management built their proposed matrices to address our immediate needs and also future needs to help us now and to address future sustainability. Jenny explained that Management understands restructuring salary matrices is a challenge, can be difficult, but they believe the rationale

used is beneficial to the majority of our employees and address our needs for now and future sustainability. Expenses continue to increase while our federal and state funding remain relatively unchanged and there is a notion that we would ask Districts to increase their contributions. We are at a threshold for larger districts where they are looking at the financial viability of remaining in the cooperative. For these reasons, the Management matrices proposal is the best we can do at this time. We made that promise at our first bargaining meeting to come to the table with our best offer and we feel we have done that.

2. Dr. Moore reiterated Jenny's thoughts and explanations and stating that Stevensville is one of the districts reviewing the financial viability of remaining in the cooperative. The Stevensville High School enrollment is down, Special Education needs continue to increase and special education costs are now at \$1 million dollars a year, and they have a significant budget deficit at this time. Some of the cooperative salaries have become an issue in the Stevensville District as they compare our starting teacher pay to their teacher starting pay, some of our Specialist daily rate of pay exceed their administrator's daily rates. For all of these reasons, Stevensville District is looking at way to manage more efficiently and they are looking at everything.
3. Chris explained we are trying to do two things at the same time, increase base pay and establish a sustainable structure. This is a challenge.
4. Dr. DoBell explained that BVEC Board members are also looking at inequities in the BVEC administrative salaries as compared to the Specialist daily rates. Some of the administrative staff has a lower daily rate than some Specialists and they need to address this. Dr. DoBell explained the cooperative goal is to put our best foot forward and take care of our employees and the cooperative is trying to do this with 12% base increases over two years, whereas Lone Rock is looking at approximately 6 %. The Management goal is to take care of employees as much as we can afford and provide future sustainability.
5. Karen acknowledged they get all of this, they really do, and the current structure is a lot of expenses. The Association produced another counter proposal they would like to share which will be less expense than the Management proposal, they feel is more equitable, and Rocky will present that and talk to the rationale of the proposal.
6. Rachella explained the Association agrees with the need to increase base salaries, especially with CSCT. The new Association proposal addresses their concerns with equitability, step placement, recognizes longevity, and addresses sustainability. The Association recognizes that Management step placement was based on their previous request to ensure new employees would not be hired at a higher rate of pay than existing employees, but they are now changing their position on that request. Longevity was a concern they felt Management did not include in their proposal of the same dollar step for everyone as this was a diminishing percentage increase as steps increase. The Association feels the Management proposal favors new employees and more tenured employees are

not getting recognized and they feel this is backwards. Rachella spoke to school district teacher matrices with lanes and steps that we do not have in the cooperative; she spoke to the continuing education required for specialist and mental health therapist to maintain their license. The Association feels the BVEC Specialist matrix was built to address the lanes and steps all in one matrix with only steps. Rachella also discussed the role our staff plays as mentors, leaders, and they are stable and reliable. The Association agrees to Management's Teacher Salary matrix proposal, but they have counter proposals for Specialist, Mental Health Therapist, and Salary Behavior Consultants.

7. Dr. Moore and Lindsay initialed and dated the Management Teacher Salary proposal to document the Association's acceptance of the proposal.
 8. The Association presented their counter proposals which dropped the previous request to ensure new employee were not hired with a higher compensation than existing employees. The Association wants a base increase in year two but didn't feel comfortable proposing a percentage only that they wanted something fair.
 9. There was group discussion to clarify the Association proposals. Lindsay sent Jill the Association file so she can review it and add a base increase year two to get a more accurate comparison of the five-year impact of the Association proposal.
- B.** Association provide clarification on retirement request. Karen explained they had reviewed TRS policy and were resubmitting their previous proposal with some new wording. See attachment #2.
- C.** Management retirement response. Jenny explained that our current bargaining agreement follows the state statute for sick leave payout. Rachella commented that they wanted to keep the existing sick leave payout and that this proposal would be for retirement payout only. Chris asked for an explanation of how the \$6,000 minimum payout was determined. Karen explained they used the deductible amount from the health insurance policy with the highest deductible. Chris asked to clarify that no one would receive less than \$6,000 and Karen replied yes that is correct. Dr. DoBell asked if this was term pay. Jenny confirmed that in discussion with TRS if the payout is made to an employee that is retiring from TRS, it would be Term Pay. Dr. Moore had one change to the wording "uniform to all employees" be changed to "uniform to all eligible employees". Chris spoke to the significant cost increases with this proposal. Chris then gave an example of an employee who had used a lot of sick leave and they would feel that an employee that might have abused sick leave receiving the same dollar amount. If he were the employee that hadn't used much sick leave, how would he feel about that? Karen acknowledge they had thought more about someone who received a cancer diagnosis in their last year of employment that didn't have available sick leave and no retirement benefit, they hadn't considered the other side.

There was more discussion regarding the date for the Board to announce a retirement proposal by October 1 of any year. Dr. DoBell explained his thoughts that it should be February 1 because by then schools would have their February enrollment counts and have a better idea of the budget for the next school year. This would give the

employees a month to research their TRS options before they have to submit their paperwork in April if they intend to retire.

There was more discussion on the state statute and the sick leave payout, hour current agreement limiting accumulated leave to 87 days, and term pay implications with TRS. In some cases the cooperative would be financially liable to match the payouts to employees. Jenny explained the cooperative would have contributed \$70,000-\$100,000 by the time an employee retires based on the monthly contributions they make to TRS. Karen spoke to the savings the cooperative would see if a higher paid employee retires and we hire a new employee at a lower rate of pay.

Dr. DoBell stated that he thinks the request is too much money and that the Term Pay amount could be more that we could contribute. Karen referred to other school and cooperative agreements where they pay more than 25% for retirement sick leave payout. Dr. DoBell explained the cooperative costs could be as much as \$20,000; Dr. Moore explained a calculation he had done based on the proposal where a retirement payout could reach \$30,000.

There was more discussion on the impact to term pay. Dr. Moore explained he was philosophically opposed to a variable retirement incentive and felt that is should only be used as a cost control method. They had done variable retirement incentives in the past and it was a train wreck where some employees didn't get what other employees received. Dr. DoBell expressed his concerns with fairness.

Management shared their counter proposal for retirement payouts which is a tiered option based on years of service. Dr. Moore gave examples of how a cost control offer could be worded using "eligible employees with 30 plus years of service". It was also explained that the management proposal does not preclude the Board from offering something in addition if they feel it is necessary and the Board feels the cooperative can afford to do something.

D. Association proposed language discussion.

1. Insurance restated their proposal to maintain the \$800/person/month health insurance in 2022-23 and increase it to \$850/person/month in 2023-24. In addition, they propose an employee who completes their contract year continue to receive the health insurance contribution through August 31 which is the end of our policy period each year.

Management response is to maintain the \$800/month/employee health insurance contribution for eligible employees. The \$800/month/employee more than covers the cost of health insurance plans for the majority of our employees as they are enrolled in High Deductible plans. In addition, we added another Comprehensive Medical Plan that has a premium less than \$800 per

month. Management needs more time to prepare their response to the proposal to extend the insurance contribution through August for employees that complete their contract.

2. Workday/Work Year – Rachella explained they had no changes to their previous proposal and were waiting for the Management response. Jenny stated that workday falls under policy and acknowledge the 11-1 lunch time may not work for all and the time expanded. Jill reminded everyone there is an exception in the current policy regarding an employee who might need to take lunch at a different time. Jenny also explained that it was important for Management to keep this in policy as it was a managerial item. Chris reminded everyone that keeping this in policy does not preclude employee input. Karen repeated that the Association preferred this be included in the bargaining agreement. There was discussion regarding the current flex time policy which allows an employee to request flex time after they exceed one hour over their normal end of day time. This is not currently mentioned in the policy although most of the staff are aware of the form and do submit them regularly, but could be added to the policy. There was more discussion regarding the one hour before you could request flex time, that staff regularly works past the 7.5 hour day, and that it is abnormal for salary employees in any business to work more than a normally scheduled length of day. Jenny stated Management is agreeable to continuing the flex time policy, but not allowing unused time to convert to sick leave. Karen expressed discontent and that it was hard not to feel bitter and to be shot down. Jenny asked to clarify if the current flex time policy was not meeting needs? Karen replied she didn't understand the question. Jenny asked if the current policy for requesting flex time was not filling the bill? Rachella stating the wording in the current form to have flex time "pre-approved" was an issue because situations arise where you can't get time pre-approved. Chris and Jill recommended changing pre-approved to approved. It was also discussed that the cooperative has historically post-approved flex time when these situations occur.

There was more discussion around a 7.5 hour day, 8 hour day, 8.5 hour day. Dr. Moore explained he considers a full work day to be 8 hours and that anything over 8 hours should be eligible for flex time. Lindsay agreed this sounds better. There was group agreement to change the policy to allow flex time be requested after an employee works 30 minutes over their normal scheduled day due to circumstances out of their control, for example and IEP meeting lasts longer than scheduled. Karen stated they still would prefer it be in the agreement that items agree to be put in policy in our last bargaining agreement had not been updated in policy. There was more discussion around policy and if the cooperative could arbitrarily change a policy with no employee input. It was explained that this is not how policy changes are made, there is a process for Board approval and Dr. DoBell and Dr. Moore both expressed that the cooperative must follow policy. Chris explained that he had concern with

managerial items going into bargaining as it limits the cooperative to change due to unexpected emergencies, whereas policy allows us to adapt if needed.

3. Transfers – Rachella explained they had updated their proposal to include “without \$500 penalty” versus “repercussions”.
4. Performance Process – Rachella explained there was no change versus their prior proposal, and they were waiting on Management response.
5. Sick Bank Access – no change in Association proposal, waiting for Management response. Dr. Moore clarified the Association is proposing an employee could be out 136 days of a 187-day contract based on the Association proposal. Karen agreed yes, they could pending the Sick Leave Bank committee approval. Rachella gave an example of a Florence District employee whose baby was critically ill after birth and was in the hospital and Florence district employees were able to donate sick leave days to support the employee, but we don’t have that in our contract. Jenny confirmed we do have the option for employees to donate days to the sick leave bank. Jill clarified that in this example, it would not have been maternity leave and would have qualified as sick leave and therefore been eligible for Sick Leave Bank if the committee approved. Rachella gave another example of not being able to find day care which would not qualify as medical leave.
6. Evaluation Process – Jenny explained Management did not feel there was a need for an MOU and proposed they put September 15, 2022 on the calendar for the first meeting. Chris explained he would be willing to work on this during the summer if it worked for everyone else. It was agreed that the committee would be discussed with employees at the May 26, 2022 end of year staff meeting. We will ask for committee volunteers and if possible, meetings will be held before September 15, 2022, but the first meeting will be no later than September 15, 2022.

Next meeting is scheduled for Thursday, May 19th, 2022, Noon to 3 PM in the BVEC conference room. A follow up meeting is scheduled for June 1, 2022, 2 PM-5PM in the BVEC conference room.

Meeting adjourned: 12:00 PM