

Random Notes

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NEGOTIATIONS BREAK DOWN

Negotiations between AEA and the administration for a new Collective Bargaining Agreement broke down June 30. Contract talks began early in April and continued through the end of the school year and into the summer recess. Failure to reach agreement means that a third party will recommend a settlement to both sides. The process is known as “fact-finding,” and our initial meeting is scheduled for October 13. This is the first time in twenty years that the parties have been unable to reach a settlement without resorting to fact-finding. Below is a Q&A designed to give members a sense of where we’ve been, where we are now, and how we got there.

Q. Who is negotiating for us, and who for the board? A. The AEA Negotiating team includes President **Jeff Moats**, Vice President **Mike Rusnak**, and officers **Janell Brown** and **Ranay Hatherill**. At the request of President Moats, **Bill Siegferth** has remained on the team. The board’s team includes **Ellen McWilliams**, **Kathy McVey**, **Howard Lawson**, **Anthony Lane**, **Rhonda Porter**, **Phil Vincente** and **Julie Mann**.

Q. What is fact-finding? A. Fact-finding is a process in which both sides present the unresolved issues from their respective proposals and argue for inclusion of those issues in the contract. By the same token, each side may argue against proposals from the other side. In the end, the fact-finder must recommend a settlement to both parties.

Q. Do both sides have to accept the settlement recommended by the fact-finder? A. No, either or both sides may reject the fact-finder’s report; it is not binding. If both sides ratify the report, it is incorporated in a new Agreement.

Q. What happens if one side or the other rejects the fact-finder’s report? A. If either or both sides reject the fact-finder’s report, mediation will take place.

Q. Speaking of mediation, weren’t negotiations being facilitated by a mediator already? A. Yes. We had hoped to have that mediator (Rob Stein) resolve the unsettled issues, but the board team insisted on getting someone else to serve as fact-finder. Mr. Stein has been facilitating negotiations since 1995 and in every round prior to this year, the parties had intended to use him in the role of fact-finder if necessary. Since Mr. Stein first became involved in our negotiations, we have managed to settle every round of talks without the need for a third party to decide unresolved issues. The Board team rejected this arrangement, stating that they wanted a “neutral” to decide the issues. When reminded by Mr. Stein that he was a neutral, the Board team said they wanted a fact-finder who was “not familiar with the issues.”

Q. If Mr. Stein isn’t going to be the one “making the call,” who is? A. Using the “meet and strike” method, the parties agreed to appoint Anna DuVal Smith as the fact-finder. She was selected from a list of five names provided to us by the American Arbitration Association.

Q. Do we still have a contract? A. Yes and no. Both sides have agreed to live by the terms of the expired (June 30) Agreement until a new one is reached.

Q. Will I receive the same pay as last year? A. Yes and no. If you qualify for a step increase, longevity increment or a degree change raise, you will be paid at your new salary rate. If you are between steps on the longevity scale, you will receive the same salary as you were paid last year. All hourly rates, supplemental contracts and fringe benefits remain the same.

Q. What happens to my health benefits? A. Your benefits remain the same.

Q. How long will fact-finding take? A. We don't know. The first session is scheduled for October 13; if there is a second session, for rebuttal, for example, we do not yet have a date. We also do not know how long the mediator will request to prepare her report.

Q. How did we end up in fact-finding? A. Negotiations, as is typical, started out slowly. However, in mid-May the two negotiating teams agreed upon a wage and fringe benefit deal. That allowed both sides to move closer to settlement on the non-cost and minor cost issues. In early June, both teams reaffirmed the wage and fringe benefit settlement and literally had agreement or agreement in principal on the remaining issues with the exception of two or three items. Both sides were optimistic that a settlement was imminent. However, the Board of Education would not support the wage and fringe benefit settlement, and instead directed its negotiating team to submit a proposal entirely unacceptable to AEA negotiators. At that point, AEA requested fact-finding, and many of the items we considered resolved (they were tied to the wage/fringe benefit deal) are back on the table for the fact-finder to decide.

Q. Why didn't the Board accept the recommendation of the Board negotiating team? A. The discussion between the board and its team took place in executive session. Board negotiators told us they and the superintendent made a strong pitch to the board to agree to the settlement. We have no way of knowing whether there was in fact a strong recommendation, or if the deal was presented to the Board in a less aggressive fashion.

Q. What was so unacceptable about what the board proposed? A. Briefly, the board's proposal calls for no pay increases for the next two years, no longevity or step increase in the second year on the schedule (and no possibility for making up for the lost year) and insurance concessions amounting to 6.5 million. In addition, they proposed many changes to contract language that would, for example, erode your planning time and place additional demands on you to attend more meetings. Specific information will be provided to building reps after the school year is underway.

Q. Is a settlement possible before we get to fact-finding? A. Although not likely, a settlement could be reached before we get to fact-finding.

Q. Are we going to go on strike? A. At this point, it would be premature to speculate about a work stoppage, although that is one of the possible outcomes of this or any other round of negotiations.

Q. Who will decide whether or not we go on strike? A. Before any decision to strike or, for that matter, to ratify an agreement, the Negotiating team is required to make a recommendation to the membership. Decisions to ratify or to authorize a strike are made only after a vote of the general membership, which takes place at a general membership meeting.