



Negotiation News

Fresno Unified Update on Negotiations – October 17, 2016

The Fresno Unified School District and Fresno Teachers Association (FTA) had a scheduled bargaining session on October 17, 2016.

For the second time, the parties negotiated FTA's interest in expanding its bargaining team and on allowing parents, community members and labor partners to all attend the whole negotiations sessions as "persons with special knowledge."

The District has proposed 12 bargaining team members as a reasonable number. FTA has proposed 749. The District's proposal will allow efficient and effective negotiations sessions that are consistent with past practice, industry standards and a recent published decision from the Public Employment Relations Board, that unless agreed otherwise, "negotiations will occur only between the designated representatives of the employer and the bargaining unit." (*Petaluma Unified School Dist.* (2016) PERB Dec. No. 2485.)

The District countered with several alternatives to address FTA's demand to have a 749 member bargaining team, including the option for FTA to have as many attendees in its caucus room as it believes are necessary to provide feedback during negotiations. This would allow FTA's bargaining team members to act as a conduit for providing the District team with immediate feedback from FTA's larger membership and community partners. FTA rejected the District's compromise.

Although claiming that the "public bargaining" is necessary to allow for transparency in the bargaining process, as stated in the recent PERB decision, "public bargaining" is "contrary to uniform industrial practice . . . and not conducive to the orderly, informal, and frank discussion of the issues confronting negotiators. [Public bargaining] also interferes with the principles of exclusivity and employee choice, including the rights of employees to designate and bargain through their chosen representatives." (PERB Dec. No. 2485.)

When the parties reconvened after lunch, FTA returned with 12 members and provided the District with the following nine proposals:

- Article 16 – Evaluation and Professional Standards
- Article 18 – Fringe Benefits
- Article 32 – Sick Leave
- Article 41 – Part-Time Teachers
- Article 46 – Professional Growth
- Article 63 – Working Conditions
- Article 65 – Designated Schools
- New Article – Contracting Out
- New Article – Stipend for Earning Graduate Degree

FTA proposed to eliminate entirely the District's Designated Schools article. This article reflects the District's commitment to providing additional quality instructional time with an effective teacher and salary increases for teachers at 40 designated elementary schools. FTA also proposed that the District provide 100% fully-subsidized health benefits for all employees, which as proposed would increase health care costs at over \$60 million annually (ongoing), plus exponentially increasing year-over-year health and welfare costs. FTA's proposed language is exactly what led the District to the brink of bankruptcy and near state takeover in 2004.

The parties will continue negotiations on November 2, 2016.

