



TALC Bargaining Minutes JANUARY 4, 2022 FY22 (2021-2022 school year)

Agenda

- Check-In
- Time Constraints
- Compensation
- Snapshots
- Check-Out

Check-In:

Time constraints: 7:00**

Missing: Dr. Ami Desamours, Jessica Duncan, Tina Sterrett, Lashanda Hutchins-Colon, Jill Castellano, Mario Dorestal, Elizabeth Peterson, Luis Fisher

Elephants: (none)

Expectations:

- Make progress*****
- Orange circles
- Get things done and finish on time

EXECUTIVE CAUCUS

Report out: We discussed how to move forward from where we are currently and what we plan to discuss next.

STORY- ESSER (Classroom Coverage)

- We have two things left to discuss and one of them is retroactivity
- Since we don't have minutes from the December 6, 2021 bargaining session or the November 8, 2021 bargaining session can we get a recap
- It appears that we were discussing an Option 6, which was tabled; it addressed what to do if someone is doing administrative tasks associated with classroom coverage
- We were going to pay them for one (1) hour of work per day at their regular rate of pay (hourly rate); is that correct? Yes



- The other thing we were discussing on December 6, 2021 was tying this language to an instructional vacancy that's entered into the Leave Management System (LMS) or is on the school's District Resource Allocation (DRA) sheet, and that this language would also sunset with the exhaustion of ESSER funding
- We have an option also that we drafted language right after this, so I can put it up on the screen here

STRAW DESIGN

H Option 18

Individual personnel providing professional duties to include lesson plan creation, grading, coaching and modeling, parent communication, and other professional duties to maintain instructional continuity as determined and assigned by the administrator for a vacant classroom teacher position or for a classroom teacher absent for thirty (30) days or more will receive compensation equal to one hour at their hourly rate for every day provided they are not receiving classroom coverage or teaching through planning period compensation for the same assignment.

STORY- ESSER (Classroom Coverage)

- Two questions:
 - Where did the thirty (30) days come from? Is that thirty (30) calendar days, for example from January 1, 2022 to January 31, 2022, or would it be thirty (30) instructional days, based on the 180-day student calendar?
 - We previously talked about a scenario where, if you were receiving compensation for administrative tasks, then you were ineligible to receive the other classroom coverage money, and vice versa, is that still the case?
- The thirty (30) days is based on School Board Policy language that says a board approved leave of absence is only available for an absence of thirty (30) days or more; that's calendar days
- We attempted to answer the second question with the last few lines that say you're not eligible to receive both at the same time
- So, is that the case if I'm providing classroom coverage and performing administrative tasks for the same vacancy only?
- Theoretically, I could be providing classroom coverage for one class and performing administrative tasks for another? If I'm doing this and I'm filling in for



two people who are absent, then I should be eligible to receive payment for both at the same time, right?

- I understand that a board approved leave of absence is for thirty (30) days or more, but if a teacher is assigned to provide classroom coverage or perform administrative tasks for a vacant position, that's more work; even if it's for just two weeks they'll need to input the grades for the assignments that they did the planning for and many schools require a minimum of one grade per week
- What do we do for the first thirty (30) days until an absence becomes a board approved leave of absence? The TALC Labor/Management Committee can discuss those situations as they arise

TEST FOR CONSENSUS

Straw Design H

STORY- ESSER (Classroom Coverage)

- The only other thing on our mind is retroactivity
- There have been a number of employees who provided coverage during the first half of FY22 (2021-2022 school year) and we would like to find a way to compensate these folks for their efforts; we have an idea on how we can do that and would like to propose an option
- There is a desire from principals to get folks paid for providing coverage for the first half of the school year as well; there is a mutual interest in trying to resolve this issue tonight

STRAW DESIGN

I. Option 19

STORY- ESSER (Classroom Coverage)

- Is a one-time payment of \$4,000 to all TALC bargaining unit members to compensate for all other duties as assigned in the first half of FY22 (2021-2022 school year) going to address the underlying concern?
- Principals want to put some money in people's pockets and maybe a good way to do that is to begin the New Year with a "welcome back to the school district" and payment for services that have already been rendered
- There's an interest in providing some form of retroactive payment, but we haven't heard the number until just now and need some time to contemplate



- A one-time payment of \$4,000.00 would cost roughly \$23 million, so there's some sticker shock
- The devil will be in the details, because we would need to discuss other eligibility factors like "is there a date you must be employed?" and "do you have to have provided classroom coverage?"
- The option says "all TALC bargaining unit members", that means all employees covered by the TALC collective bargaining agreement
- That may result in employees being provided a retro payment money who didn't provide classroom coverage; there may be some equity issues with this option
- This is the first time the District has heard of this as an option and if TALC can talk us through the amount proposed that would be helpful
- The amount proposed accounts for additional assigned duties that go beyond just classroom coverage
- Since the pandemic started, there have been teachers doing things above and beyond; it is not just covering classes, but washing down desks, cleaning tables, wearing masks, not wearing masks, making sure children have masks available to them if they need one (especially at the beginning of the school year), making sure students are going down the right side of the one-way hallways, making sure students are not high-fiving or hugging each other in-between classes (social distancing)
- All employees deserve to be compensated for their additional efforts; even if they have not have provided classroom coverage, they have picked up additional assigned duties necessary in order to get us to where we are today, which is no school closures
- A commitment of \$23 million in ESSER funding would show teachers that they're appreciated
- I don't know of any teacher who has said, "I don't want to", when asked to pitch in during these difficult times
- Considering all that's been asked of people, it could have been a lot more than \$4,000.00 per person
- Not to mention that the \$4,000.00 is spread out over the days and weeks and months that people have been performing these additional assigned duties during this entire pandemic
- We are trying to say we want to retain you and make sure you don't leave
- We should be focusing on the retention of the teachers, if we want to make sure they are around next year



- If we don't do this, we may lose some of employees; they deserve to be compensated for their additional efforts
- Transportation has not been discussed in depth, but at every level and especially in certain zones, teachers are spending almost an hour extra every day providing supervision to students that are waiting on late buses or long car lines and they have not been compensated
- If you take the \$4,000.00 and divide it by the 90-day first semester, that's only \$44.00 per day per employee
- If you look at the language we have already agreed to for classroom coverage, it's much more than \$44.00 per day per employee
- The District is not averse to talking about a one-time bonus to serve in the place of a retro payment, this is about more than just semantics
- We are talking about a one-time payment as retro for classroom coverage, but extending it to all employees
- At roughly \$45.00 per day, that's equivalent to an hour of additional work for most instructional staff and we're just not sure that's what has been happening; we would like to hear more about that, if it is occurring
- Classroom coverage isn't the only type of coverage that employees have been providing; as we mentioned teachers are being asked to wash tables in the cafeteria or their being asked to clean desks, especially when students are eating in the classroom
- If a teacher is being assigned additional duties, it doesn't matter if it's cafeteria coverage or hallway duties, they're giving up time that they could be spending elsewhere
- If you're waiting around on buses, you're not providing classroom coverage, but you're also not able to get to the other things that you need to get done during the course of the day
- SPALC described similar situations in their bargaining session and mentioned employees providing supervision to students in the cafeteria while waiting on long car lines; people were concerned that they're being asked to stay beyond their regular work day and into the time that's traditionally been reserved for fee-based programs like afterschool
- Is there a difference in how much of this is going on now as compared to two years ago? How much of the difference is a result of COVID? Is it happening more frequently or are the buses an hour late now where in the past it was never more than thirty (30) minutes?



- I'm just trying to better understand the scope and scale of what is described and how it differs from a normal school year without a pandemic
- I can only talk about own experiences, however there has been a significant increase in late buses at my school; we're not talking about just one bus, which before there were always two or three late buses each day
- Now at least half of the buses are late and I'm at a South Zone elementary school, so we're one of the first to get picked up in the afternoon
- I recently had to provide classroom coverage for an ESE teacher who was out and I have no issue with that, however it's a lot more work right now
- She was out for three (3) weeks and I had to do planning, instruction, grading, and wait with every student until they were all loaded on the bus each afternoon
- These students' individualized education plans (IEPs) are legally binding documents, so I had to make sure that students were being provided accommodations and that it was being tracked appropriately
- My school was also down to only two (2) custodians for the entire school at that time; they would clean the bathrooms and empty the trash each day, but that's all they could get to, so if you wanted your floor cleaned or surfaces wiped, you had to figure out a way to do it yourself
- In the cafeteria, we were short staffed, so I was bagging trash, so that someone could empty it between lunch shifts
- There are a variety of things that I'm doing on a daily basis, because we're so short-staffed right now; this is not like anything else I've ever seen in my more than ten (10) years with the District
- Over the course of the past two years, and especially in the first few months of FY22 (2021-2022 school year), we've had a lot more student absences
- A student being absent doesn't mean less work, it actually means more work
- If a student is absent, you'll get emails or phone calls from parents asking what they can do to make sure the student doesn't fall behind
- Sometimes these calls or emails are coming in at 7:30 a.m. in the morning or 9:00 p.m. at night
- Teachers are trying to respond to these calls and emails, because they've been told they need to respond within forty-eight (48) hours
- They're giving students extra assignments or helping them log into the Google Classroom, so they know what they need to do; there's follow up phone calls and emails from the parents; it all adds up to a lot more than \$44.00 per day



- A one-time payment of \$4,000.00 is just a token of appreciation for all the things that every teacher is doing extra every day
- Every teacher across the entire district is doing these things and they've done these things consistently; administrators want to show their appreciation, well this is one way to say "thank you" for not letting students fall behind
- Report cards will be out in a couple of weeks and there are teachers here tonight at the bargaining table that have students they have not seen in two (2) weeks or more because of student absenteeism
- How do you give those students a grade? How do you make sure that your grading is done equitably? Do you grade students for only what they've been able to complete and tell them you're sorry but they're failing because they've been absent? No, you find a way to offer additional assignments, make-up work, or alternate assignments that they can complete at home
- These are all additional duties that need to be considered; we can possibly list all of the things that teachers have been doing on a daily basis, so we're just trying to capture some of the things that are above and beyond
- If a teacher gets an email, they're likely going to respond to it at 7:00 a.m. when their day starts, they're not going to wait until 8:45 p.m. to respond to it once their day is over
- All of these additional efforts are things that aren't documented, but that we know is occurring; it would be a horror show to try to track all the additional work that people have done from August 2021 until today
- We can't sit down and write who did what and when, it's done; I think the story that we've presented should tell you it's justified
- As a School Social Worker, I can tell you that all Special Instructional Staff are experiencing a significant increase in work load as well
- Students are absent and truancy rates have skyrocketed
- Increased social anxiety isn't just impacting adults, it's impacting students; we're having as many as six Baker Act situations a day
- The current situation is taking a toll on students and their families
- Social Workers are responsible for going out to students' homes, educating their parents, and trying to help reduce many of the anxieties that people are experiencing as a result of COVID
- Many families don't want to send their children to school, because they're afraid that their children might come home sick and infect family members who are elderly or disabled



- We've spent a lot of time trying to reduce those anxieties, but the absenteeism and truancy is now overwhelming; despite all of the effort it seems like this is an insurmountable goal and people are feeling overwhelmed by it; they need to be compensated
- Cleaning up the cafeteria takes away from the time that teachers are contractually entitled to for a duty-free lunch; we know that people were not always getting the full twenty-five (25) minutes before, because they were having to walk their classes to and from the cafeteria, but now they have to respond to calls and emails or fill in for custodians or other support staff
- This means they're having to take time away from their families to stay caught up and to make sure that students are receiving what they need
- Thinking about retention and recruitment, we've never seen people handing over their keys and computers to their principal on a Tuesday and saying they resign; that's never happened before
- We have principals who are begging teachers to stay until the end of the semester
- Meanwhile, Hendry County negotiated the use ESSER funding to support recruitment and retention by providing a one-time bonus of \$2,500.00 to all instructional staff
- We started out talking about retroactivity for classroom coverage, but when you think about everything that's gone on this seems pretty fair
- I appreciate everything everyone said and we are bargaining during unprecedented times; we need a caucus

CAUCUS

District Report out: We spoke at length about the \$4,000 option and discussed the ins and outs of it. We don't have any additional options at this point, but we have some comments and would like to return to the next bargaining session with options.

TALC Report out: We had a similar conversation, which was very robust and centered around how different things are this year from years past. We have had more Baker Act and Threat Assessment situations than ever before. We have had more campus-wide threats of violence. We have had more late buses, leading to a loss of instructional time. Teachers have reported students consistently arriving late by thirty (30) minutes or more every day because of late buses. The consistent loss of instructional time. The increased rate of mental health issues for students, families, and staff members. The death of an



employee, on campus! We have students eating their meals in the classrooms. Are we really focused on equity and manageability?

STORY- ESSER (Classroom Coverage)

- First, the District is missing a key member of the bargaining team, Dr. Desamours
- We are talking the expenditure of millions of dollars in federal funding
- We recognize that we've been discussing two separate issues that have now been meshed together
 - One issue is the need for retroactive payment for classroom coverage; we would like to agree tonight to begin emergency implementation of the classroom coverage language that's already been agreed to, so we can start paying people moving forward
 - The second issue is the discussion of a one-time bonus payment; we have acknowledged the concerns and there's a willingness to pay a bonus, but we are not prepared tonight to make decisions on the amount
- We have not looked at the numbers relative to how many teachers have actually been paid for classroom coverage so far in FY22 (2021-2022 school year)
- I'm not sure if all 6,000 instructional staff members have provided classroom coverage, but we are sure that they all deserve a bonus
- We do want to make sure we address retroactivity in a logical fashion, rather than just saying its worth \$4,000 and moving on
- TALC has no issues with emergency implementation and agrees to hold the District harmless, if for some reason there's an issue at ratification
- I don't know how we want to document that because we need to have it in writing somewhere
- Can that can be an option? To implementing classroom coverage language beginning January 3, 2022
- Leave the particular language to the TALC Labor/Management Committee, because we've used similar emergency implementation language in the past
- I think the other COVID MOUs mentioned emergency implementation
- Is there an effective date for implementation?
- We could start of the beginning of the calendar year or on the first school day of the calendar year?
- What about at the end of the first pay period in January?
- Maybe the first day of second semester would be a cleaner starting point



- We have used similar language before and the start of the semester is a clean break
- TALC doesn't agree that these are two distinct issues; based on the rate that we are losing employees to resignation and retirement, and the number of vacant positions that we're having difficulty filling, we think this is an emergency and it's all related
- In December, we spoke at the TALC Labor/Management Committee meeting about the various different ways we want to reward employees for their loyalty to the District and what we plan to do to support the retention and recruitment of employees
- I think this is a whole lot more manageable than going back and trying to find out how many employees actually provided coverage; it is illogical to try to separate these issues
- We can easily get the number of teachers who have been paid for providing classroom coverage
- The second semester starts on January 12, 2022
- It was said that we can easily get the number of teachers who have been paid for providing classroom coverage, but that misses the point, because as we've discussed there are employees that are not being paid for classroom coverage
- I am aware of one school where an employee has been tracking things themselves and another where the staff convinced the secretary to the principal to track even friendly coverage
- We have acknowledged that there are issues with the current language, so I think that it is going to be difficult to convince people that the data from August to present is accurate
- We acknowledge that there is inaccurate data relative to elementary schools, but we have the numbers of who has received it and that's a start
- We began discussing separate ways for determining who is eligible for compensation for classroom coverage and have included employees who were not previously eligible; we need to include them as part of the retro payment
- I think the accuracy of records on who provided classroom coverage under the new language might be difficult to assess.
- Let's table the issue of retroactivity until we can get more information and have input from Dr. Desamours and her team



CAUCUS

District Report Out: We discussed Options 20 and 21 and would like to create a Straw Design and test. We plan to have further conversation at the next TALC Labor/Management Committee meeting about on how we are conflating the issues.

TALC Report out: We clarified that implementing on January 12, 2022 would leave us to discuss how we would like to handle classroom coverage for the First Semester only. The Second Semester would be addressed by the new language. We're looking forward to discussion at the next TALC Labor/Management Committee meeting.

STRAW DESIGN

J. Option 20

TEST FOR CONSENSUS

Straw Design J

STRAW Design

K. Option 21

TEST FOR CONSENSUS

Straw Design K

SNAPSHOTS

- That's three (3) orange circles tonight and hopefully we'll be done talking about classroom coverage on January 18, 2022
- Rather than discuss Article 10 (Compensation) we should go back to the interest-based process; traditional snapshots are best
- The District plans to open:
 - Article 8 (Performance Evaluation), in order to clean up and standardize language
 - Article TBD (Professional Development), in order to capture a commitment to providing high quality professional development
 - Article 12 (Leave), which was tabled in FY21 (2020-2021 school year)
- Article 10 (Compensation) and Article 11 (Benefits) are opened every year



- TALC is still trying to determine which articles to open; there are three that are under consideration; there are areas where there's overlap between articles that make it hard to decide
- We can always address things and then handle the overlap as housekeeping once we have an agreement
- TALC would like to start with snapshots of the articles to be opened by the District and discuss others at the next bargaining session

Article 8	
Performance Evaluation	
Headlines: <ul style="list-style-type: none">• The TALC Labor/Management Committee has been reviewing proposed draft language for this and other articles• Discussion has been about capturing the NEAT process, which stands for: Notice, Evidence, Assistance, Time• The NEAT process has been used for performance evaluations and there's an interest in spelling it out in the TALC Contract, so it's easier to follow• We want to align the SPALC and TALC Contracts too• In March 2020, when we first went out due to COVID, there was a lot of discussion about Performance Evaluations• Time frames should be clear and consistent, so communication can be as well• No substantive changes anticipated	Interests: <ul style="list-style-type: none">• Clarity• Consistency• Employee retention• Compliance with Florida Statute Data: <ul style="list-style-type: none">• Proposed Draft after approved by the TALC Labor/Management Committee



<ul style="list-style-type: none"> Comparing and contrasting the best practices of SPALC and TALC Contracts 	
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Article 12	
Leave	
Headlines: <ul style="list-style-type: none"> Article 12 is written based on Florida Statute and is not user-friendly from anyone's perspective The current language is unclear and ambiguous There's proposed draft language that was shared with the bargaining team in FY21 (2020-2021 school year); it's now being reviewed by the TALC Labor/Management Committee There are some suggested edits to be considered In the past two years we've seen just about every weird, unanticipated leave situation ever The Family Medical Leave Act and Americans with Disabilities Act, which are also in Article 5, have never been through a pandemic Lots of good lessons learned to share 	Interests: <ul style="list-style-type: none"> Clarity Consistency Alignment between SPALC and TALC Contracts Equity Manageability Employee retention Compliance with Florida Statute Data: <ul style="list-style-type: none"> Leave related data Most missed days and most requested days # of employees with maximum vacation accruals Florida Statute

Article TBD	
Professional Development	
Headlines: <ul style="list-style-type: none"> There is a shared interest in commitment to providing 	Interests: <ul style="list-style-type: none"> Employee retention Support for employees



<p>professional development to employees</p> <ul style="list-style-type: none">• We have some proposed language that's being reviewed by the TALC Labor/Management Committee• There are some statutory requirements around recording and reporting professional development• There are a few areas that are ripe for conversation by the bargaining teams• Professional Development would like to discuss the voluntary training rate \$15.00 per hour• There's a question about if we need a voluntary rate and a mandatory rate; the voluntary rate hasn't been increased in a while• The proposed draft captures what professional development as a department does and the service that's provided to employees as a result• There's an interest in providing more opportunities for employees to provide feedback• We need to define voluntary and mandatory• We need to discuss what a supplement pays for in terms of Professional Development; ESE teachers may need to take IEP training, but people are being asked to do more beyond their regularly scheduled work hours	<ul style="list-style-type: none">• Commitment to Professional Development• Employee participation• Student achievement
	<p>Data:</p> <ul style="list-style-type: none">• Proposed Draft language once approved by the TALC Labor/Management Committee• Identify articles that are implicated by any changes• We may need Dr. Martin here when discussing Professional Development



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| <ul style="list-style-type: none">• SPALC and TALC have discussed the Career Ladder and micro-credentialing• FEA collaboration might be helpful; FEA offers AA and BA degree programs for free to members and their families | |
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Check-Out

- Next TALC Bargaining Session is scheduled for January 18, 2022
- Is there any way we can have the minutes from prior bargaining sessions by January 13, 2022?

CALENDAR

- January 31, 2022 - SCHEDULED
- February 15, 2022 - SCHEDULED
- February 28, 2022 - SCHEDULED