

SPALC BARGAINING MINUTES JANUARY 12, 2022 FY22 (2021-2022 school year)

AGENDA

- Check-In
- Article 10 (Compensation)
- Check-Out

Check-In

Time Constraints: 6:30 p.m.

Missing: Dr. Ami Desamours, Barbara Cedano

Elephants: None

Expectations:

Make progress*****

Agreeing on compensation***

To get something done*****

STORY – ARTICLE 10 (COMPENSATION)

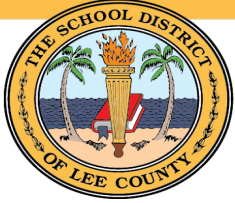
- SPALC Salary Presentation presented by Mr. Jonathan Tuttle, FEA Regional Specialist (see attached)
- SPALC would like to present an option, then discuss how we arrived at that option

OPTION

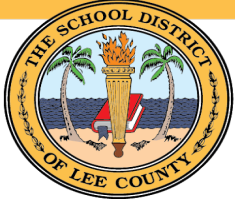
4. An increase of \$1.96 per hour for all SPALC bargaining unit members, retroactive to July 1, 2021

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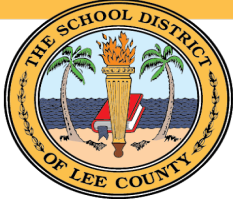
- SPALC started with a maximum annual increase of \$4,000.00 per employee, which for a 2,040-hour employee (255 day work year, 8 hour work day) would be \$1.96 per hour



- An increase of \$1.96 per hour would mean that the District would have the highest minimum base pay in Southwest Florida, which would help us to meet our interests of retention and recruitment
- An increase of \$1.96 per hour would cost roughly \$12.5M, an amount that is SPALC believes is already accounted for in the District budget for FY22 (2021-2022 school year)
- To clarify, the presentation mentioned instructional materials and how the District uses funding allocated for this purpose; we you describe a categorical, that means that the money must be spent on specific things
- For instance, the District put \$3M into the categorical for instructional materials and can only use that money to purchase adopted textbooks
- There's some flexibility, in that the District can buy workbooks with a percentage of that money, however the District can only use that funding to purchase adopted textbooks
- Non-adopted materials are used in classrooms for supplemental learning, however those funds can not be used to purchase non-adopted materials
- The reason there are large balances in this categorical currently is because text book adoption takes place at different times of the year for different subject areas
- The Florida Department of Education (FL DOE) has changed the rules around textbook adoption within the past four years
- The District has been able to monitor this situation and has known that changes were coming that would impact large scale textbook adoption, so the District has retained some of that money
- You can see that when you look at FY20 (2019-2020 school year) and the categorical for instructional materials was at \$11M; now that those changes have taken place, funds that were held in reserve will be spent on new textbooks
- The District isn't holding onto money just because we don't want to spend it; we're trying to be fiscally responsible with taxpayer dollars by anticipating future expenditures and planning ahead
- A comparison was made to Charlotte and Collier, however that's not an even comparison, because both of those counties have adopted additional local tax referendums that help support their General Fund



- The District would love to have the additional revenue in order to support employees, however we're not sure that politically it's something that taxpayers in Lee County are interested in at this time
- The District has discussed the possibility of a millage increase, which would mean that property taxes would help support our growth, however it hasn't occurred
- Collier is not growing at the rate that Lee County is growing and they voted for a millage increase, so again it's not a fair comparison
- When you are doing your taxes, you have a required local effort, a capital outlay, and a discretionary piece.
- Collier has gotten the approval from their voters to take a portion of the capital outlay millage and switch it over to discretionary, so it can be used in the General Fund
- The District is grown, so we cannot afford to do that, because those capital funds that come from the half-cent sales tax are being used to build new schools and renovate or rebuild aging schools
- The Annual Financial Report (AFR) also has the amount spent on textbooks
- From what was just shared, the categorical for instructional materials and supplies state should match up with the amount expended for textbooks purchases, correct? Or it should be less than that amount, right?
- I'm curious, because if you're saying that the only thing that those categorically funds can be spent on is on textbooks, then those two numbers in the AFR ought to match up, right?
- There is a page in the AFR that accounts for instructional materials that have been adopted by the State; the District buys other instructional materials that go through a separate adoption process and funding from other areas is used to purchase those material
- In addition, instructional materials and supplies include a wide range of objects; clay for art class is one example; only a percentage of that money can be used for things like workbooks or other consumables
- For the sake of sticking to the interest-based process, the final slide is the option from SPALC? Yes, that's the option
- We left last session with options regarding pay for Paraprofessionals who provide Classroom Coverage and a retention bonus and attendance incentive



- Are we going to pick up that conversation or just jump into this tonight? If we are going to jump into this, then we need a caucus
- We want to keep the conversations separate; since Mr. Tuttle is here tonight and you've seen the SPALC presentation, can we continue with that conversation first?
- The District would like to call for a caucus; caucus from 4:55 p.m. to 5:40 p.m.

CAUCUS

District Report-Out: Thank you to SPALC for presenting an option in relation to compensation. We discussed the option and we have some comments and questions.

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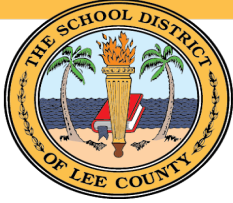
- We appreciated the slide that said that 33% of the SPALC bargaining unit is paid at a rate that's below neighboring SWFL school districts
- This is why in some of our previous sessions, we have talked about assisting the employees at the bottom of the salary schedule
- It is why the District proposed an option that would provide additional compensation for Paraprofessionals providing classroom coverage
- The District recognizes that Paraprofessionals, which account for roughly 1,200 of the 4,500 SPALC employees are under compensated
- The District would like to focus on figuring out a way to assist those employees who are having difficulty paying their rent, that are having difficulty due to inflation; that doesn't necessarily mean leaving behind anybody, but an across the board increase of 10%, which is basically what SPALC proposed doesn't do that
- The District is not objecting to SPALC's request that we look at trying to spend \$12M; however, we don't think an across the board increase would truly help the employees are most in need
- Across the board increases have been paid in the past, last year there was a 2% across the board increase and a one-time bonus of just under \$300.00
- Now we're looking at an option that's basically a 10% across the board increase and there's no rationale for how that meets our shared interests
- In addition, the amount requested exceeds the current bargaining authority provided by the School Board



- The District is not rejecting the proposal outright, we just want to be sure that we're clear that we do not have the bargaining authority to agree to something like this tonight
- The District would like to have the opportunity to meet with Budget and others to find out if there's an option that might be similar in some respects that would help better meet our shared interests
- Employees who are most in need should be addressed first, but that doesn't mean that should happen at the expense of others; it also doesn't mean that people are in some way more or less deserving
- SPALC's presentation did not mention that staffing shortages are not just an issue in Lee County; they're an issue in Charlotte County, they're an issue in Collier County, they're an issue in all 67 counties throughout Florida
- The news is reporting on The Great Resignation and saying it's not all about compensation or benefits, it's also about things like mental health and some of the non-obvious benefits employees receive
- SPALC is glad that the District is going to put together a group to discuss employee compensation and available funding; is part of that conversation going to be asking the Board for an increase in bargaining authority?
- The District isn't prepared to answer that question without first consulting the Superintendent
- A question from last session: you said that the Board approved another \$8M in bargaining authority, correct?
- Yes, but we did not say that it was specifically for SPALC; that \$8M is for all employee groups
- The District would like to ensure equity among all employees
- The District is not saying yes or no to SPALC's request for \$12.5M; we're saying that we do not think an across the board increase will meet our shared interests; as SPALC said, we need to focus on the 33% of employees who are paid below the local Market Rate
- To review our Interests for Article 10 (Compensation) from the 9/20/21 bargaining session, they are:
 - Recruitment
 - Retention
 - Morale



- Student achievement
- Respect
- Manageability
- Affordability
- A living wage
- Clarity
- We've had conversations around compensation utilizing ESSER funds in the SPALC Labor/Management Committee and that's why we were talking about increasing the pay for Paraprofessionals who provide classroom coverage from \$30.00 per day to \$100.00 per day
- SPALC may be interested in discussing compensation for coverage by other employee groups
- To confirm, we want to keep the conversations about Paraprofessionals being paid for classroom coverage and the retention bonus and attendance incentive separate, since they are non-recurring and don't have a lasting impact on Compensation
- Everything is related when it comes to compensation; the funding source for a bonus and the possibility of \$100.00 per day for Paraprofessionals providing classroom coverage is all from non-recurring funds; that's the only distinction
- The SPALC bargaining team made a commitment to all SPALC bargaining unit members that they would focus on compensation; that is our priority and we've made it clear since June 2021
- I would hate to talk about two MOUs that have a sunset date and not ever address our main priority, which is lasting compensation
- The District can respect that, however we need to do some math before we're able to discuss compensation further
- Is the District going to take what was presented by SPALC and come back with an Option?
- To repeat them, the two options from December 15, 2021 were:
 - A retention bonus at the end of the school year that totals \$2,000.00, with \$1,000.00 guaranteed to active all employees and the other \$1,000.00 available as an attendance incentive
 - Paraprofessionals providing classroom coverage to receive \$100.00 per day, instead of \$30.00 per day

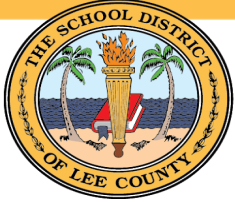


CAUCUS

SPALC Report-Out: We discussed the two MOUs the District has proposed. The District's overall response to SPALC's request regarding compensation have caused a lot of frustration and hurt.

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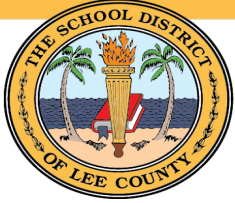
- Regarding the MOU addressing classroom coverage for paraprofessionals, it was brought to my attention that principals are actually using other SPALC bargaining unit members in schools to provide classroom coverage
- We had a discussion around making the compensation for classroom coverage provided by support staff a possibility, however there's still an equity issue in terms of a one-on-one paraprofessional not being able to provide classroom coverage
- Is there an interest in discussing the other MOU or do we want to continue this conversation?
- We have a few questions about the classroom coverage by paraprofessionals MOU; this would be to modify the SPALC COVID MOU, correct?
- Yes, the understanding at that time was that HR would provide schools with a list of employees who are eligible to provide classroom coverage and that these individuals would be screened based on positions that meet the State's "highly qualified" standard
- There have been discussions in the SPALC Labor/Management Committee about other weird classroom coverage situations; these are things we have not encountered before
- Are you saying that there's another situation where a custodian, food and nutrition services worker, or a bookkeeper is being asked to provide classroom coverage? Is this something that's ongoing or did it happen in the past?
- We would like to know to what extent and with what frequency this is occurring, because we need to address it
- If it is a constant situation, then not only are there concerns about student instruction but also, if a bookkeeper or others are being asked to provide classroom coverage, then who is doing their normal assigned duties?



- Are we going to have audit findings because the bookkeeper is not able to do their normally assigned duties? I think this is something that would warrant more conversation
- There are schools using other support staff in classrooms when they cannot find a Paraprofessional; all paras are highly qualified, even if they don't have an Associate's Degree, they have to take that No Child Left Behind (NCLB) highly qualified test
- I agree with the idea of increasing the amount to \$100.00, but there is a lot that needs to be straightened out before we can move forward
- If you have twelve (12) paraprofessionals at a school, all of them may be highly qualified, but at least six (6) of them are likely to be in a Lifeskills class or they are pushing a wheelchair, or serving as a one-on-one; if the other paraprofessionals are not interested in providing classroom coverage or they're all out sick that day, then who should be providing classroom coverage
- I am a bookkeeper and I have been asked to provide classroom coverage, because I used to be a paraprofessional for almost eleven (11) years
- When I became a bookkeeper I was told that there may be an occasional need for me to float between classrooms; I've never had any audit findings in that time, but I do find it very difficult to sit and do the job of a bookkeeper while also working as a paraprofessional
- My District job is not my only job and I'm frustrated because I'm not getting compensated for being asked to do extra work
- It's hurt my feelings, because I've been out sick this school year; I had a life or death illness and if I was not married, I would have come out of the hospital and been homeless
- It hurts because I have given thirty-three (33) years of my life to this District and it feels like what you're saying is that that does not matter and it does not matter what happens to me; it's very difficult to sit here and listen to you say that; I take my job seriously
- In some cases, this may be a normal occurrence and it's certainly becoming more normal as we continue to work through COVID
- My school had extremely high absenteeism for teachers today and we expect that will be the case for the next few days; administration is just trying to find warm bodies to stick into classrooms to provide supervision for students



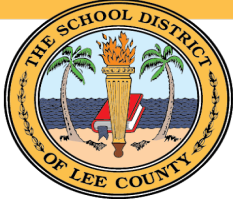
- I don't think that people who are willing to step up and take this on, when it's not a requirement of the job, should be left out; the alternative is that you leave students unsupervised or packed into a classroom with a teacher that can't provide adequate supervision
- I know of situations where tech specialist have been asked to provide supervision; security specialists are routinely asked to cover time out or in-school suspension (ISS) rooms
- We've had similar conversations with TALC about classroom coverage and how the situations look different for different employee groups or employees at different levels
- Regular classroom teachers and paraprofessionals have said that it's the frequency of the request to provide coverage that makes things inequitable; for example, a reading coach might be asked to provide classroom coverage more often than a regular reading teacher
- The same concerns have been raised in discussing these concerns with TALC; how does that employee still get their regular job done when they're being asked to do someone else's job
- More money doesn't necessarily address that issue; it doesn't buy you time or make you suddenly more productive
- Not everyone is able to provide classroom coverage, but not everyone should be asked to provide classroom coverage; for example, school counselors need to be available to address situations where a student is in crisis
- Similar to this the District and SPALC limited classroom coverage for support staff to Paraprofessionals, because they are the most likely to provide assistance to teachers and have the most similar minimum qualifications
- If there has been significant deviation from the SPALC COVID MOU, then we need to address that in the SPALC Labor/Management Committee; please let us know if you have any specific examples of situations that need to be addressed
- If needed we can discuss how to handle this in bargaining as well
- We are definitely open to discussing an MOU with an attendance incentive, however we were waiting on additional information from the District: what days, how many days, etc.



- In the SPALC Labor/Management Committee there was some discussion and we thought this information was shared; some of it was, but if the District is going to bring it forward as an option then it needs to be discussed here
- The District would like to offer a one-time bonus of \$2,000.00 to all support staff, with \$1,000.00 to support employee retention (so it would be offered at the end of the school year, similar to the one-time bonus offered at the end of the first semester)
- The other \$1,000.00 would be to support an attendance incentive and would be based upon research into what the most missed days in the school year would be
- These absences aren't typically due to people being sick, they mostly coincide with pay day; having preventable absences on these days just adds to the issues we're already experiencing with more people being out sick
- Friday's and Mondays surrounding long weekends are the easiest time for people to take off, because they have extra money in their pockets
- We looked at data that was reviewed by the Calendar Committee and noticed that October to November is a difficult time of the year; it's when the honeymoon phase is officially over and student's behaviors start to change, which causes additional stress and frustration, resulting in an increase in employee resignations
- The winter break helps alleviate some of that, however then we see the same things from February into March and April
- In the second semester, people can't wait for spring break to arrive, there's long periods of time where students are testing, and then you have several weeks without a break before the end of the school year
- The thought was to try to target some of these dates, so we've prepared a recommendation that includes those dates, but basically it's six Fridays in the second semester; we tried to space them evenly, so they're just about every two weeks, but there might be some outliers based on where spring break falls or when Easter is; these are things we noticed when looking at the data as well
- This might provide people with a more natural pressure relief, because anyone showing up on one of those six (6) days would receive something; if you don't need to take the time, then don't, and you can earn some extra money
- If you do need to take time off, that's okay too, there will be other options, but not many; it's not an all or nothing situation though



- How will this impact 255-day employees? I work year round, so I tend to take time off around long weekends, rather than take a week or two straight; I give myself little breaks throughout the year, so that I'm available all summer
- We had a short summer this year and I worked 14-weeks straight without a break
- How will this work for someone like me, so that I'm not being punished for trying to limit my absences
- There are schools were losing a Tech Specialist during testing or at some other inopportune time would be an issue
- These are very good questions and this is why we tried to look at different weeks to chose from; duty days and other days where there aren't any students on campus might be good days to work, because there's an opportunity to get more work done
- For custodians, it's hard to clean around students while they're learning
- The recommendation in the MOU is a first attempt, so we can fine tune or refine it, if needed
- This will allow us to see some really good data in terms of whether something like this would work and whether it would help reduce the overall number of absences; we know that people try to schedule vacations at times that will be least disruptive
- We need to make sure we have enough adults in the building though when students are present
- Would the District be open to consider exempting employees who are on a 255-day work year? There are not a lot of us and if we already know these are the best times for us to miss work without it impacting the school, then we will continue to take those days off
- This recommendation is a bit of a first stab at this and doesn't need to be one-size-fits-all
- Another area is for similar discussion is with Guest Teachers; there may be certain days where we looking at providing them with more money as well, to help lessen the strain? Offering them extra might help in situations where people can't avoid being out
- At my school there are two people that are expecting babies in the next few months; both the mom and the dad may need to miss work, would these mean they wouldn't be eligible to receive this pay?



- The purpose of the attendance incentive is to get people to come to work
- We can discuss a waiver or exemption for employees on a 255-day work year, but that sounded like an option would have to be at work. You would have to be at work the way we proposed it. We would ask SPALC if they want the option of exempting 255 up there. It sounded like an option.

OPTION

3. Exempt 255-day employees from the specific dates of the attendance incentive portion of the one-time bonus

STORY – ARTICLE 10 (COMPENSATION)

- Would 255-day employees receive the other \$1,000.00?
- We can't clarify an option that we didn't create, but the thought is to cap the overall amount of the one-time bonus at \$2,000.00
- If you add to the situation that an employee on a 255-day calendar has already been approved to take a vacation, then perhaps we could consider this in a SPALC Labor/Management Committee meeting
- Vacations are not impromptu; they must be approved in advance by an immediate supervisor
- We could create a different calendar with options that apply to only employees on a 255-day calendar
- We really want people to be present, so that things remain equitable and some people don't get more than others for less effort
- As you mention it, this is starting to sound like there's really two parts and only one source of funding; at the SPALC Labor/Management Committee there was discussion about adding this to the SPALC Contract and including language that says this will sunset once ESSER funding is exhausted
- The dates being considered are two days in October, one day in November, one day in December, one day in February two days in March, one day in April, and two days in May; this is based on prior year's calendars, but basically were looking at the first and third Fridays in February, the third Friday in March, and the second and fourth Fridays in May, assuming that all lines up with our current calendar; we may need to adjust slightly in case it does not



- When would the MOU expire? The thought was that we could pilot this for the remainder of the school year and decided later, based upon the data, if this appears to be working
- We've already discussed that we don't want this to disadvantage people who are sick and don't come to work
- Can we look at a one-year commitment and revisit it for FY23 at a later point?
- Are we looking at the dates on the calendar moving forward? Yes, we would only be looking at second semester; we want people to have notice so that they can plan accordingly and show up to work; we added additional dates to account for 255-day employees and to make things more equitable

CHECK-OUT:

The next SPALC Bargaining Session is scheduled for January 24, 2022