



TALC BARGAINING MINUTES

FEBRUARY 7, 2022

FY22 (2021-2022 school year)

AGENDA

- Check-in
- ESSER Classroom Coverage
- Professional Development Article
- Turnaround School Committee Recommendation
- Check-out

CHECK-IN

Time Constraints: None

Missing:

- Kristine Shrode
- Suzette Rivera
- Mario Dorestal
- Tera Sherman
- Samantha Hower – via Zoom
- Kerr Fazzone – via Zoom
- Shay Pearson – via Zoom

Guest: Dr. Helen Martin

Elephants: None

Expectations:

- Make significant progress*****
- Make progress**
- Figure out our agreement*****
- Follow through with any orange consensus circles*

EXECUTIVE CAUCUS

District Report-out: We had a good discussion about the ESSER Classroom Coverage issues and the proposed Professional Development language. There has been some misinterpretation of the agreement and how it is applied at the Secondary Level in terms of how many periods an individual was going to provide classroom coverage per day. We have agreed to iron this out



tonight. We will take any issues relative to voluntary rotations that we've received from principals to TALC Labor/Management Committee meeting on Wednesday of this week.

TALC Report-out: This is a Secondary Level issue for the most part. Over 80% of secondary teachers only have the ability to provide classroom coverage for one period per day and that is during their planning period. Others who don't have full-time class loads may be able to provide classroom coverage for more than one period per day.

STORY – ESSER Classroom Coverage

- If someone at the secondary level provides classroom coverage during their planning period, they get their hourly rate for the loss of their planning period plus \$60 per hour for the time they provided classroom coverage
- If a second instructional period is covered they will just get the \$60 per hour for classroom coverage only
- We also have the voluntary rotation model in which administrators have a list of people that have volunteered to provide classroom coverage each period, they should also have a back-up list if the volunteers run out and then it's "volun-told"
- You should be able to go to your principal and ask to see the volunteer list
- If you moving down the list of both the volunteers and the "volun-tolds" and you do two periods of classroom coverage in a day, then that might be okay, but it's unlikely that there will be a third period of classroom coverage
- So, to clarify the MOU, the first time this happens, the employee will get their hourly rate for their missed planning period plus \$60 per hour for the time they provided classroom coverage; the second period of classroom coverage is paid at \$60 per hour
- The additional hourly rate for their missed planning period only happens once per day, because they only have one planning period to lose
- They would receive the \$60 per hour for classroom coverage for each period they provide classroom coverage
- What happens if someone is providing only half a day of coverage at the elementary level? The MOU says that they must provide more than 2 hours of classroom coverage before the \$375 per day is available
- Let's discuss individual situations at the next TALC Labor/Management Committee meeting
- The District asked people to submit supplements for classroom coverage based on the old formula; however, TALC was told teachers would paid using the new formula



- When will people begin to get paid using the new formula; people missed the deadline for the paycheck on the 15th of this month; the expectation is that they would then be paid at the end of the month
- A spreadsheet was shared with the Secretary to the Principal at each school; it showed them how to calculate the payment that is owed to employees
- At the secondary level, it rounds up, so if a class period is 56 minutes someone would be paid for 60 minutes
- The spreadsheet asks for an input of what people worked and provides an output of what people should be paid
- The spreadsheet that was provided was confusing and the frustration is growing again
- The last time we met, on January 18, 2021, we discussed this and we brought forward some of the reasons why we were frustrated
- It is now a month later and we are doing the same thing; we're still discussing what went wrong between our January 12, 2022 Joint Communication and now; we're rehashing the same things over and over; we are not moving forward, we are going backward
- We are moving forward; we have had numerous meetings with TALC and District leadership since that time
- We got to a point where we said we would just pay people as if things were status quo, because we were concerned about individuals providing coverage and not getting paid in a timely fashion
- There was a misunderstanding as to what we agreed to at the table
- We have now concluded that we were not on the same page and we would like an MOU to document that clarification, so Payroll and others can begin implementation
- The effective date will remain January 12, 2022, we agreed on that; it's more about clarifying what we are doing and how we are doing it
- Looking at the chart on the wall for December 1, 2021, that's when we had consensus on this issue; in January we reached consensus again; now we're talking about reaching consensus for a third time
- Why wasn't this been implemented already? One step forward and two steps back, how can you say we're moving forward
- The frustration is felt all around: teachers, administrators, district staff, school based-staff, payroll, staffing, budget, and principal's secretaries; everyone is frustrated by this situation
- One of the problems we were trying to solve was that we wanted to find a way to incentivize people to provide classroom coverage and reward the people who were already providing classroom coverage
- We did not specifically define key terms and any ambiguity was found and exploited



- We are talking about \$8M to \$9M in federal funding and while this might all feel redundant, we have had two weeks in between bargaining sessions, two weeks off, and a considerable amount of conversations has taken place in between
- The amounts have been agreed to and we're asking for a better articulation of what it is that we agreed to
- A principal's secretary sent an email to Peer Collaborative Teachers (PCTs) and coaches saying that she would like to be able to pay them, but she was told it was put on hold for now until things get settled
- There have been many miscommunications on both sides of the table; emails like the one just described are part of what caused the confusion and led to the frustration that people are experiencing
- People will get paid according to the new formula and it will show up on their paychecks at the end of February
- Payroll will work with schools to find the most efficient and easiest way to do this
- Coaches and PCTs are clearly included in the new language, under the old rules, they were not eligible; they will be paid back to January 12, 2022 for any classroom coverage
- Both sides agree the teachers want to see something more in their pocket as soon as possible
- At one-point TALC brought up a \$4,000.00 supplement or bonus that would put money in teacher's pockets and this was put on the back burner; it hasn't been discussed since it was first brought up
- The goal was to keep teachers in schools and retain them for next school year; TALC came up with \$4,000 and would like to discuss that again today
- The TALC Labor/Management Committee set the agenda for today and that is not on it
- Can we agree to cover what's on the agenda?

CAUCUS

TALC Report-out: We charted a path forward. Is it ok to just say "yes" to what we previously agreed to?

STORY – ESSER Classroom Coverage

- We discussed the need to possibly do minutes next because we haven't done minutes yet
- Payroll had some questions for TALC; for any teachers who worked the month of January, are you saying you do not want them paid under the language that's already in the TALC Contract/status quo? We have received supplement requests and they are scheduled to

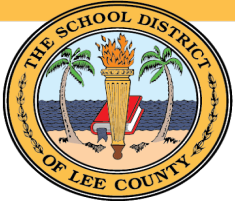


be paid on February 15, 2022 at status quo; are you saying to hold off on making that payment?

- We would prefer it be done once and correctly
- We had a principal's secretary who had an email from Payroll with the new formula for classroom coverage; what if she has already submitted supplements requests using the new formula? Are we saying hold off on those as well?
- The only thing that was changed was the earnings code, so no principal's secretary has received updated information; regardless there's no change to the account line, so there's no need for that to change
- We will agree to sign an MOU

MINUTES

- We need to approve minutes from past sessions
- We don't have them from the last session, but we have them from the previous three sessions
- We are also working on a cheat sheet with all of the options and straw designs on there to make it easier to understand, because there were 18 options and 7 or 8 straw designs; it is still a work in progress.
- December 1, 2021 – Approved with Corrections
- December 6, 2021 – Approved with Corrections
- January 4, 2021 – Approved with Corrections
- We typically don't attach presentations when we send out the minutes, because we don't always have them from the presenter; we will attach them and send them out
- We will also make sure that we have all of the options attached
- The minutes are significant and part of why we're behind
- If there is a disagreement, we typically go to the minutes; if they have not been approved and are not presented in a timely fashion, and not accurate in their presentation, we run the risk of extending the confusion
- We need to have the minutes and be up-to-date, so things are fresh in people's minds
- We are talking about December minutes being approved in February; that's a lot of time between meetings and people could forget or not know to bring up that options are missing
- We need minutes the Thursday before the Monday meeting; we know there were some staffing problems, but we need to get to a place where we are getting the minutes in a timely fashion
- We are approving minutes and we don't really remember what happened



- Compensation & Labor Relations is a very small department and we have been short staffed and have had turnover throughout the past year; the minutes will be quicker coming because we are now fully staffed
- We have talked about the possibility of doing minutes via Google Docs so everyone can see them in real time and provide comments or edits electronically
- It does make it more difficult when you are trying to remember things that happened a month ago or two months ago and this was one of the most complicated issues in bargaining in recent years; there were at least 19 options, 7 different straw designs, and multiple tests for consensus; we didn't follow the interest-based process initially in terms of snapshots and other things
- Some of the frustration is because schools aren't fully staffed, teachers are covering, learning results are expected, but things still need to happen
- There's a high level of frustration not having the minutes in a timely fashion
- Message received; we will do better in the future, because it's better for both sides
- We are willing to approved them now with the corrections to be made

STORY – Article TBD (Professional Development)

- There was an interest in adding an article on Professional Development
- Dr. Martin, Amy French, and Will Rothenberg prepared a proposed draft that reflects the current commitment of the District to Professional Development
- That language was developed in consideration of some of the requirements that the state puts on the District for professional development
- We shared that proposed draft at a TALC Labor/Management Committee meeting
- One thing that was flagged for conversation was the distinction between voluntary and mandatory training and the rate of pay
- The voluntary training rate has not been touched in years and is currently at \$15.00; that is incredibly low for what we are asking people to do
- Currently, if a school is offering professional development outside of contract hours it's not mandatory, then they are paying teachers their hourly rate.
- There is voluntary training that teachers enroll in and do outside their normal work day
- It is our common interest to increase the voluntary training rate from \$15.00 to \$25.00 per hour to recognize the commitment of teachers for their professional development
- It is to provide increased incentives for teachers to take some of the professional development that they need in order to fulfill Career Ladder buckets or to continue to grow and develop professionally



- It has been \$15.00 per hour for a very long time and the majority of funding comes from grant funding
- The proposed language says that “professional development may be scheduled for summer break, Thanksgiving break, Winter break or Spring break”; I wouldn’t want to see teachers having to take professional development during times when we are encouraging them to take a break
- We would not intentionally schedule training on those times
- It doesn’t have anything in there about voluntary or mandatory training; it says that the \$25.00 per hour is for anything that is outside of your regularly scheduled work hours and not during the school day
- Does it do away with the mandatory training rate? It does not talk about voluntary or mandatory; there’s one rate and it’s for anytime you do professional development outside of your workday
- Mandatory and voluntary would be at the same rate then? If outside of the regular workday, yes.
- That is problematic; can we discuss what meets the requirement of mandatory?
- I have heard from teachers who have been told to take an ESE training beyond contract hours and they asked about pay and their principal said, “you get ESE supplement, so I am not required to pay you”
- One of the other things that came up in our discussion was that mandatory training includes the asbestos training and blood borne pathogen training
- There are some schools where they are doing these mandatory trainings during preschool week and others where they are doing that on their own time
- There are people pressing play during their planning and listening in and others with less active participation
- I think that that’s part of the problem with mandatory versus voluntary; it is hard to separate those in terms of is it mandatory to keep my job, or my certificate? Is it mandatory because my boss told me to? Is it mandatory because of the course I am teaching?
- There are times you could say it’s voluntary, but if you don’t do it, you don’t maintain your certificate and so it feels mandatory
- Part of the thought was to try to move away from that and say, if you are doing it outside of your work day, you need to be paid for that time
- The current contract language doesn’t say “mandatory”, it says “required”
- If you are required to attend the training, you’re going to be paid at your current base rate of pay



- If you are attending the same training voluntarily, then you get \$15 per hour
- If we agree to this proposed language, the person doing the required or mandatory training that already makes more than \$25.00 per hour would get short changed
- Why would we change the current contract for those people to get less just to increase the amount for voluntary training?
- Maybe we can come up with a different way of doing things
- You are saying this is paid for with grant funding; if it's \$15.00 per hour and grant funded then does that mean that there could be more trainings offered at a lower rate that are required and people would be paid less
- One of the things we encountered was that based on the current language two people could be attending the same training and paid differently depending on why they are at the training; one could be there because their boss told them they needed to attend, but the other one chose to go because they recognized the need for themselves
- The feedback from the Career Ladder Committee and Professional Development surveys is that there is not a lot of time reserved in the workday for professional development for teachers
- I want to commend the Calendar Committee for adding more time in to the workday for next year so teachers can engage in professional development during the work day
- We have four Professional Development/Early Dismissal Days in the calendar for FY23 (2022-2023 school year)
- Those days are not captured in the current contract language; what happens on those days? Are we doing professional development on our own or is it at the direction of the principal? What does it look like?
- I don't know the intent of the Calendar Committee, but I know a lot of people would like to see guidelines and structure, so that their time is honored in the way intended
- We did talk in the Calendar Committee about the addition of those days for professional development
- We haven't developed guidelines yet for those days yet
- With respect to the Career Ladder, Professional Development has worked to give people back their time by making sure that professional development is meaningful, job-embedded, and that you have flexibility in terms of when you do training
- Some of the training can be done from the comfort of your home; it's online and on demand
- With the Career Ladder, several years ago people were struggling to get the 25 in-service hours they needed annually to recertify



- Now we are seeing people with 40 hours to 60 hours of Professional Development annually
- As we change our approach and try to continue to do something that honors different types of learners, different types of schedules and preferences, we will continue to see an increase in professional development
- Part of the preliminary thinking is many grade levels will have new standards next year in different subject areas; that means new curriculum and new assessments that are coming
- Some of the professional development available at schools will support teachers in the implementation of all that is new
- The teacher's survey that we conducted in December reflected a great interest on behalf of teachers in some of that professional development and the Professional Development team does a great job serving as mentors to new teachers
- We continue to hire new teachers throughout the school year and they need continued professional development and support; some of this is about informing them about the way the school works and onboarding them so they can acclimate to their role
- Professional Development is going to try to open things up for whatever the needs are of the schools and providing people the time to do whatever they need, because we all have certain requirements we need to do for recertification, mandatory learning, Career Ladder, etc.
- The Calendar Committee did assure us there would be guidance from Professional Development as to how that time would be used
- Kerr, Sam, and Shay are on ZOOM and Kerr just posted, "in regard to what we are paying and how the amounts are changing; at some point a few years ago, we indexed supplements; supplements were based on a percentage of the minimum base salary and now every time we raise the minimum base salary, supplements go up; could we look into indexing our training rates?"
- Kerr wanted to share that as a possibility to explore
- The proposed amount of \$25.00 per hour was roughly where we were at for minimum base pay when we were at \$40,000
- We are talking about doing what you described in a sense
- We have trainers that are being paid less than the people attend a training
- Looking long-term, our desire would to make sure that the trainer rate and the trainee rate are based on an hourly amount that is not less than the equivalent rate for the minimum base salary for someone in that bargaining unit
- We talked about doing something similar with SPALC and other employee groups



- The goal is to encourage everyone to become life-long learners and to invest in their professional development or skills development in whatever way they can
- I'm concerned about the lack of guard rails related to training
- The thing that keeps most trainings from being mandatory is the fact that it is not \$15.00 but it's the employee's hourly rate
- As much as we need to talk about what is mandatory, when we look at training, there is a cost to provide training and the current voluntary rate is considerably less; it's half of what a new teacher's hourly rate is
- I'm concerned that with \$25.00 per hour and no guard rails on how many times the principal or the District can say something is mandatory, we may get in a situation where everything is mandatory; we need to have some guard rails and expectations
- We have a process in Professional Development for determining what is considered mandatory learning and those are the courses that you are auto-enrolled in on July 1st each year through PeopleSoft
- The process for identification of mandatory learning really comes through a review of board policy, a review of applicable statute, and a review of any agreements the District might have entered into with other entities
- It's an annual review and the TALC Labor/Management Committee is briefed each year
- We also discussed looking at the list to see what courses can be offered intermittently or removed from the list completely
- There's also an effort to identify learning groups and tailor training within the bargaining unit to certain employees
- At the school level, is there something that stops the principal from telling everybody to report to work on June 1 and 2, because we are having training?
- That happened last week and people asked if the training was voluntary
- Are you saying that training would not be considered mandatory learning based on our current definition?
- If it is outside of a contract day, it is not mandatory and the principal cannot make employees attend
- According to what was said, the only trainings that are mandatory are trainings we don't currently get compensated for because the safe schools trainings don't come with any additional compensation
- The expectation is to complete them during contract time



- Is there any way we can see how many hours were paid out at people's hourly rate for mandatory training? There have to have been classes that were paid at the hourly rate that weren't mandatory in the sense that they were safe schools training
- Some of it might depend on how people enter it and that's another one of the challenges that we have
- There is an earnings code that covers "all other duties", so if you are doing professional development under "all other duties", it is incredibly difficult to find which of those were professional development, because you'd have to look in the comments field and there is no standard way to record it
- You'd have to look at each record individually; some of the proposed language helps streamline things so we can produce better data going forward to answer that question
- We have had the discussion about some of those legacy trainings and how Blood Borne Pathogens and Fire Extinguisher training have become the norm, as opposed to some recurring Principles of Professional Conduct or Protecting Florida's Children training; you only get those at the start of your career and then never again unless you have an issue and you need that remedial training
- All of those conversations are also occurring and one of the hopes for this language is that it will spark the conversation and some of those things will maybe get examined or that we'll have the data to look at them more closely
- None of this language is in the contract currently, including a survey of asking employees what would you like training on
- In terms of guard rails, there's always the TALC Labor/Management Committee; there have already been requests for some of the data regarding registration of professional development with pass keys
- Professional Development can take a question like "I heard that someone was doing Christmas Day training, is this true?" and pull data to say, actually it was Christmas Eve training and it was at request of teachers
- We can investigate situations as a one off, but I'm hoping we don't have too many of those
- How many people have received their hourly rate for training? We can pull those records, if the account line is coming from Professional Development
- The only trainings that are required are the Safe School Trainings and they are expected to be done during the contract day
- Any other training out there must be voluntary
- I'm betting you will find people being paid their hourly rate more often than you imagine



- I'm hesitant to take away the hourly rate for mandatory training until we have more information
- I might have a certificate and I have to maintain it to keep my employment; I would argue that is not required training by the employer, but that is training the employee is required to take to continue to be an employee
- I'm hesitant to take away that mandatory option.
- One big distinction is when I take my professional development, I pay for it
- I have to take time off from work, I have to pay for hotels
- My employer doesn't cover those expenses
- It seems like we have everything except Article 14.03(4) resolved
- We have 10 minutes to go, do we want to put up an option and test with that one piece something we come back to with data and discuss at the next meeting?
- The compensation part would stay status quo if we can't agree to a change
- Do you want to take 5 minutes to caucus?
- This is a new article; are we talking about plucking it from where it is in the current contract or if it's status quo we're moving it here?
- We don't have an Article 14 (Professional Development) currently, this is new language
- I'm referring to the language in Article 10.04 that refers to Professional Development

CAUCUS

TALC Report-out: We are uncomfortable moving forward tonight.

CHECK-OUT

- We will start the next bargaining session with Minutes and continue with Professional Development.
- The next TALC Bargaining Session is scheduled for Tuesday, February 15, 2022