

TALC BARGAINING AGENDA

MARCH 18, 2022

FY22 (2021-2022 School Year)

AGENDA

- Check-in
- Article 2 (Rights, Privileges and Responsibilities)
- Retention Bonus (ESSER)
- Bargaining Authority
- Article 10 (Compensation)
- Check-out

CHECK-IN

Time constraints: 2:45, 3:00

Missing:

- Heather Leonard
- Bonnie McFarland
- Kristine Shrode
- Amy Johnson (Attending via Zoom)

Elephants: None

Expectations:

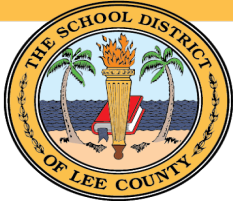
- Get some agreements*****
- Orange circles*****
- Get something done*

MINUTES

- Minutes from February 7, 2022 are approved with changes

Story – Article 2 (Rights, Privileges, and Responsibilities)

- To give a little bit of background, proposed language is being shared that was drafted by Kristine Shrode and Compensation & Labor Relations in order to address an issue that came up earlier in the year
- TALC and the District entered into a settlement agreement to avoid further legal action and agreed to resolve this through the bargaining process

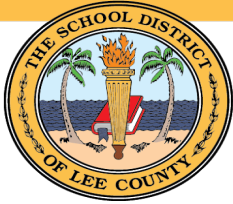


- TALC wanted to make sure that we recorded in the minutes some of the specifics of what it is that TALC would be requesting, but this is specifically related to public records requests and personally identifiable information
- TALC expressed a need for information to provide the Florida Public Employee Relations Commission (PERC) with an accurate count of members and where these members are working; these are legitimate union business reasons and are considered concerted activity
- The proposed language reads as follows:

In accordance with FL Statute 119, sharing of confidential information may only occur under certain circumstances that are related to a business necessity. The District recognizes that such a business necessity exists as if relates to the Association's fulfillment of its duties under Florida Statute 447.

A list of all bargaining members will be provided to the Association at the start of each fiscal year and on a regular basis thereafter. The Association agrees that personally identifiable information will remain confidential and will not be distributed to third parties. The Association agrees that information that is exempt from public inspection will not be disclosed without first obtaining the express written authorization of the District and the employee involved.

- FEA legal spoke to Ms. Shrode at the start of the school year and she was able to successfully negotiate a resolution to the satisfaction of TALC
- TALC initiated legal action in an attempt to rectify a situation where TALC was not being provided all of the information requested regarding TALC bargaining unit members
- The District updated their forms for public records exemptions and a significant number of SPALC and TALC members completed those forms to protect the confidentiality of personally identifiable information
- TALC would like to be sure that the following is recorded in the minutes
- The following information for all bargaining unit members will be provided to TALC regardless of their public records exemption status:
 - First and last name
 - Personal home phone number



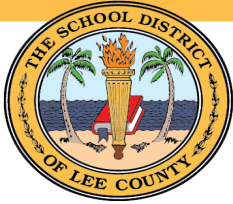
- Personal cell phone number
- Job title or job description
- Work site/work location
- Personal mailing address
- Personal email
- Date of birth
- Employee ID number
- Job family
- Union code
- Latest regular hire date
- All of those things with the exception of the date of birth are already being provided to TALC in a secure way

OPTION - CONSENSUS

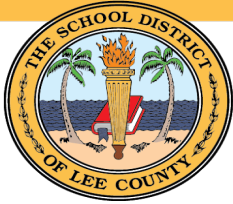
1. Approval of proposed language

STORY - RETENTION BONUS (ESSER)

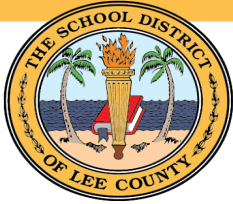
- The District put up a chart showing details of the option presented by TALC with information including employee counts based on hire date (see attached)
- The numbers in Column C are based on the groupings that TALC requested
- These numbers are based on original hire date; prior to the date cut off requested, there were 5,130, that's people that were hired prior to the start of FY22 (2021-2022 school year)
- Column B shows the number of employees that were hired between the start of the year and end of First Quarter, which was October 14; there are 610 employees
- Column C shows the number of employees that were hired during Third Quarter; there are 122 employees
- Column D shows the number of employees that were hired so far during the Fourth Quarter; there are 98 employees
- The total number of employees in the TALC bargaining unit at the time we pulled the data was 5,960
- Columns C and E are the District's original plan of \$2,500 per employee; the total cost for that option is \$14.9M
- TALC asked us for the information provided in Columns A and B with the following amounts proposed:
 - \$2,500 for those hired prior to the end of Q1



- \$1,250 for those hired prior to the end of Q2
 - \$750 for those hired prior to the end of Q3
 - \$500 for everyone employed at the end of FY22 (2021-2022 school year)
- The total cost of the options assumes that everyone who is here right now will be here through the end of the fiscal year
- TALC's option has a total cost of \$17,556,000, so you can see that it exceeds the amount allocated for ESSER Retention Bonuses
- The District ran some additional numbers to provide similar options that might fit within the allocated amount
- If you were to do A or B at \$2,250, C at \$1,000 and D at \$500, then at the end, everybody still here would get \$304; that's within the allocated amount of \$14,897,000
- The other option would be \$1,500 for A&B, \$1,000 for C, \$500 for D and then \$1026 for everyone who was remaining; that's within the allocated amount
- Looking at the first two rows, the date is 6/30/21, then the 10/14/21; there were 610 new employees hired prior to the end of Q1, those employees would be added to the total number of employees that were hired prior to the start of FY22 (2021-2022 school year), correct? Yes
- So the two different lines are just to help differentiate new hires from returning employees, correct? Yes
- Moving on 1/10/22 is the end of Q2 and 3/17/22 is the end of Q3, right? Yes
- Is this the same amount allocated for ESSER Retention Bonuses as what was discussed on Monday? We heard that there was an Executive Session and I don't know if any additional money was allocated
- This is the same amount that we were talking about on Monday? The Executive Session did not involve a request for additional ESSER funding
- Do these numbers include resignations from the start of the school year? Let's say there were 5,130 employees that returned for the start of FY22 (2021-2022 school year) and 100 of those have since resigned, are they still included in the count? No, this is based upon active employees, so those that have resigned are not included
- So if we're only talking about ESSER funding, is it possible that there's additional money available for a bonus, based on the Executive Session; is it possible that any additional bargaining authority could be added to the equation?
- Yes, there's additional funding to support the payment of an additional Retention Bonus after the start of FY23 (2022-2023 school year)



- So the ESSER funding for the Retention Bonus would be exhausted at the end of FY22 (2021-2022 school year), right? Yes
- Is it possible that resignations between now and then would add additional money to the pot? Yes, it is possible
- TALC and the District discussed an additional Retention Bonus of \$1,000 to be paid sometime in October 2022
- The option says that at the end of the fiscal year, every employee who is still here would receive \$500.00, but that amount assumes that every employee will still be here by then, right? Yes, that's correct
- Is this a spreadsheet that if numbers changed, we could see new calculations? Yes
- If at the end of the fiscal year employees are not here, would we be in budget?
- I'm curious as to the proposal of an October date for payment; why October?
- We talked about this last time; October is ideal because the logistics of a payment at the beginning of the school year create difficulties for both Human Resources and Payroll
- The only reason why I bring that up is because I've had many TALC members requesting an explanation, because it appears there's a delay between when the actual work is being done and there's a coincidental sales tax break on gasoline in October
- Are we getting into situation where politics is becoming a factor? In other words, are we stuck with an October date?
- I don't know what politics you are talking about, but October was recommended based on all of the work that goes on at the beginning of each fiscal year
- The District is onboarding all new employees and it's when Staffing & Talent Management has the most Personnel Action Form (PAF) transactions, because people are taking on new assignments, changing schools, and being hired en masse; all PAFs for regular position changes are processed first, which is why the TALC Contract says that supplements are paid in September
- Delays in processing these transactions means that people don't get onboarded in a timely manner, they don't get their supplements in a timely manner, and that's not acceptable
- Until the end of Q1 it's really difficult to make sure that we've made it through that busy period; it had nothing to do with what the governor might have said
- I just think there was a coincidental thing where TALC members were looking at this option and saying it's kind of funny that the legislature just decided to



provide a tax break on gas in October and now this; it put a bad taste in some people's mouths

- Is there anyway for implementation to be prior to October?
- We are getting away from the main point, which is the \$2,500
- I can tell you the additional \$1,000 for a Retention Bonus that the board authorized us to spend yesterday was contingent on it being paid in October 2022
- We're now discussing an additional \$1,500 from the \$4,000 that TALC first requested and that has nothing to do with the Executive Session
- There is an \$1,000 in addition to what we have already been discussing
- The October amount is \$1,500, but that payment would include the ESSER funded Retention Bonus, which is not reflected here; is that correct? Yes
- So whatever plan we go with to close out FY22 (2021-2022 school year), there's still \$1,500 from the discussion on Monday, which would be paid on October 14, 2022 and now there's a possibility of another \$1,000 from the new Board Authority, which would be paid on October 14, 2022, so that's a total of \$2,500.00, right? Yes
- Can you send TALC the spreadsheet to play around with those numbers?

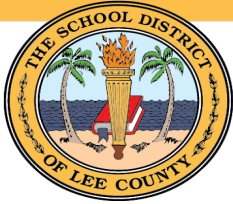
CAUCUS

TALC Report-out: We want to thank the District for going back to the Board. We want to thank the Board for increasing the Bargaining Authority. We have had a lot of discussion about the options and have another option.

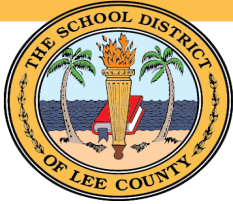
OPTION

5. **Group A** is all employees from last year that came back and to recognize their service and loyalty to the District, they would receive \$2,575.00
Group B is all the employees that started in Q1, they would receive \$2,200.00
Group C is all the employees that started in Q2, they would receive \$1,900.00
Group D is all the employees that started in Q3 and they would receive \$1,300.00
This leaves no money to spend at the end of the fiscal year
Retention Bonuses would be payable by April 30, 2022

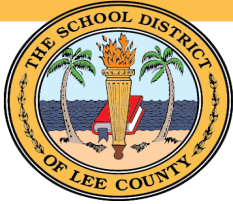
STORY - RETENTION BONUS (ESSER)



- For the record, can TALC explain why there is a desire to to treat 210 employees significantly different than the rest the bargaining unit
- Are you talking about the Groups C and D? Yes
- It is not that TALC wants to treat people differently; TALC recognizes the challenges COVID brought to education and wants to recognize people for the struggle that they endured last year and also the struggle that continues this year
- It is not about treating people differently, it is about compensating people for having to work during the pandemic and the stress that has brought on
- This challenged teachers to stay in the profession and this has been the hardest decision, because it was two (2) years ago that we went on spring break, spring break was extended to two weeks, then we never returned to school that year
- When we returned to school in fall, teachers walked in to classrooms and cried because they still had March dates on the board; they still had their room the way it was when they left in the spring
- There was so much trauma and stress brought on by the pandemic and we walked into our classrooms in August 2020 and we were expected to teach like nothing had ever happened
- It was a race to make up every educational deficit while attending to the trauma that our kids had been through while they were not in school
- We had to forgot about the trauma that we had been through while we were not in school
- All of the additional issues that we faced last year with hybrid courses required teachers to give everything they had and then some
- There were articles in the newspaper about "The Great Resignation" that talked about how hundreds of teachers had resigning at the end of the school year, but 5130 people chose to stay after what we thought had been the worst year we'd ever seen in education
- We were surprised in August 2021 when it was worse than it was the year before
- People are talking about how people have continued to leave, but there are people who have continued to stay
- It is not about treating people differently, it is about honoring the struggle that teachers have been facing for more than two (2) years now
- We are not trying to treat anyone differently, we care about every single member, but we need to honor the struggle of the people that stayed
- That was eloquently put and you will not get an argument from me on that point

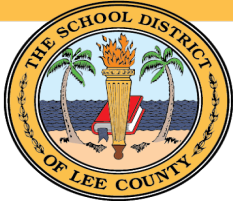


- My point is those that have been hired this school year are coming into the school year knowing what they are facing and that's a significant decision for a young person who just graduated college to make
- It takes a lot to say, "I'm still going to be a teacher even though there have been these significant challenges"
- I hear you and I'm not arguing with you at all; we can tell stories about the challenges of recruiting in the current environment
- We would just like to say that those who have been willing to join us at this time are people who we are proud of the same as the people who stayed
- I just want to reiterate that and that I don't disagree with what TALC has said
- As we go forward, I want you to know that I may not "love it" and I may decide to "live with it", because I have concerns
- Money can be divisive and I definitely respect the sentiments that were expressed by TALC; I wanted to say out loud that I have concerns about how others might receive this decision
- Neither perspective is wrong and as I said I can "live with it", but later on, if it becomes an issue, I just want to be able to have said that I think we're making things more divisive than they need to be
- I know that sometimes people who are watching bargaining feel like they haven't been heard or that they're not appreciated; I see both sides of this argument and want people to know that these are difficult decisions and they have been heard and are appreciated
- I think that what we need to decide collectively, right here, as a group, if we believe that we're behaving as generously as we can, given the plight of teachers
- Veteran teachers were impacted back in 2012 when our teaching paradigm changed because of the Florida Legislature
- Teachers were used to receiving three percent or more in salary increases, but now there is no longer additional pay for obtaining National Board Certification, there is no longer additional pay for everyone who earns a Master's Degree
- People who earn a Master's Degree in Education, for example in Curriculum and Instruction, they no longer receive the additional pay for that Master's Degree, it was taken away by the Florida Legislature
- Veteran teachers who have been around since 2012 or before have lost every performance-based increase in salary they received, because the Florida Legislature increased the minimum base salary; you are talking about an immediate increase of almost \$7,000



- Every three percent raise they receive is now worth less, because that difference in pay is gone; I understand we're concerned with retention
- I don't agree that ESSER funding should be used only for retention bonuses
- If that's the direction we're going in though, so be it; I think we need to reward people for coming back year after year; educators shouldn't have to justify ourselves to the Florida Legislature anymore
- I have been with the District for 25 years and I've loved almost every day; I make \$38.00 per hour after 25 years of service
- Someone who just walked across the stage at Florida Gulf Coast University and is teaching in the classroom down the hall from me now makes \$30.00 per hour with zero years of service
- If you're going to talk about treating people differently, the Florida Legislature is who you need to address; they've guaranteed that this will happen and they've forced our hand
- We're not talking about people who just hung out all year, we're talking about people who have fought a little more of the fight than those who have just joined
- I know the Governor gave classroom teachers a bonus, based purely on job code, right? It was \$1,000.00 and I received it over the summer and the District used ESSER funds to provide the same \$1,000.00 to every instructional staff member who did not receive that \$1,000.00
- Did the 610 people that were just hired get that \$1,000.00? Yes, if they were employed as of December 15, 2021
- One of the things we have talked about in the past that's been highlighted again today is that because of the decisions that have been made by the Florida Legislature, teachers are in some ways pit against other teachers; it's people in education against people in education
- I think that is unfortunate and I think everyone understands why it is that the option we're discussing is what it is and why we're having the difficulty that we're having making a decision
- It is unfortunate that because of the pendulum swinging too far this way and too far that way, that you end up having a situation where someone ends up thinking about things like "Is this person's interests being put ahead of mine?" and debating minor details rather than everyone moving in the same direction and everyone being appropriately compensated

CAUCUS



District Report out: We discussed the TALC option relative to the structure of the Retention Bonuses. We have several options up there and have discussed adding \$1,500. I would like to propose a Straw Design of Options 4 and 5.

STRAW DESIGN

A. Option 4 and 5

STORY - RETENTION BONUS (ESSER)

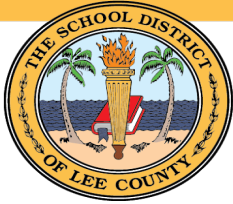
- That is going to get a little messy because Option 4 had different amounts, so do you want to take the \$1,500 from Option 4 and combine it with Option 5 to make an Option 6? Yes

Option

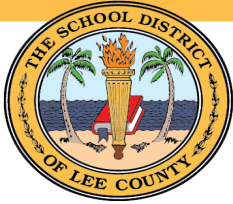
6. \$1,500 paid October 14, 2022 to anyone employed on the last day of their contract in FY22 (2021-2022) who is still payroll active and actively working on September 30, 2022

STORY - RETENTION BONUS (ESSER)

- We were talking about this particular option and that's why we didn't include it in Option 5, because we were thinking about the total dollar amount
- Is there an estimated number of employees returning of 5,960 at \$1,500 each that is \$8.94M? Can we have some conversation around if less employees return, then we take the pot of money that was available and divide it over the number of active payroll employees at the time?
- The original amount was budgeted was \$2,000 per person and we are already way over the \$2,000 per person; that is not within the bargaining authority
- We went over what we had available and we came up with \$2,000; right now we're at \$4,500 and there might be a savings if there's a difference
- If you are taking about the total bargaining authority it amounts to about \$4,000 per person
- Yes, but we are talking about \$1,500 per person on the District's payroll as of September 30, right? Are we are estimating that is going to be 5,960 people? I'm guessing it is going to be something lower than that, based on years past
- All we're asking is to have a conversation around using the entire pot of money, so let's say 5,800 employees are expected to come back, but only 5,000 do, then we know we can get a higher payout based the money that is available



- I see what you are asking but remember, the original amount for the retention bonus was \$2,000 this year and \$2,000 next year, which is \$4,000 total
- We are at now at \$4,500, so that's already accounting for some of the change in the number of employees
- Can I ask you your question in a different way? Yes
- So what you are saying is that the current estimate for total cost with a payment \$1,500 is \$8.9M and if there were fewer people you would like to be sure that the \$8.9M is spent, so we need to be open to adjusting the dollar figure to make sure that we're spending all of what is available
- Yes, that is exactly what I was trying to say and you said it much better than I did, so thank you
- The dilemma is, we never anticipated an additional \$500 being added, which we are agreeing to now; the overall budgeted amount is based on \$4,000 per person and TALC added an additional \$500 at the end of the last session, so that is what we are concerned about
- With the last option we took that \$500 out; so an employee that has been here since day one of FY22 (2021-2022 school year) would receive \$2,575 this year, plus \$1500 if they return for FY23 (2022-2023 school year), which brings us up to \$4,075, not \$4,500; \$2,500 plus \$1,500 is \$4,000, not \$4,500
- Yes, but \$2,575 plus \$1,500 is \$4,075, not \$4,500
- Sorry, I stand corrected
- Did we combine the options into one or what did we just do?
- We have Option 5 and Option 6 ,but we were trying to have a discussion around altering the amount of payment in October if there are less people that return; we would like to stay within the budgeted amount; is that something we can agree to put in as a caveat in Option 6? Yes
- We can work out the specifics of the language in the TALC Labor/Management Committee as we get closer to the time for payment
- The estimated expense is \$8.9M and we will equitably divide that sum of money over the number of people who are active on payroll and actively working on September 30, 2022
- So the caveat is that if there's fewer people, we will discuss increasing the amount in the TALC Labor/Management Committee meeting
- The original amount was \$1,500 to be paid on October 14, 2022 for anyone employed on their last contract day of FY22 (2021-2022 school year) that is still payroll active and actively working on September 30, 2022, right? Yes



- What if we said \$8,940,000 to be equally distributed to employees on October 14, 2021, if they were employed on their last contract day of FY22 (2021-2022 school year) and still payroll active and actively working on September 30, 2022?
- Yes, I think that would work.
- Just so we are clear on the tax issue; these are pre-tax amounts, right?

Straw Design

B. Options 5 & 6

STORY - RETENTION BONUS (ESSER)

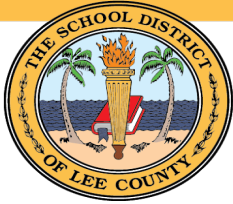
- We have the \$1,500 up there, but what if we actually have more teachers return in FY23 (2022-2023 school year) than we're currently anticipating? Will they get less than the \$1,500 and would it still be based on the \$8.9M in bargaining authority?
- How can we have more come back than we already have right now?
- There is a possibility we could hire people between today and the end of the school year; if we are at 5,900 employees now and we find another 100 teachers before the end of the school year, we could be at 6,000 employees, not 5,900 employees
- It is possible, but not likely that this will be the case

CAUCUS

TALC Report-out: We had a quick discussion on the option.

STORY - RETENTION BONUS (ESSER)

- To add to one of the options, we need language that would reference the retention part of things; that there would be no break in service over the summer
- In order to be eligible, an employee must be actively working and payroll active from the end of FY22 (2021-2022 school year) to September 30, 2022 with no break in service at any time between the end of FY22 (2021-2022 school year) and September 30, 2022
- We also need to cover situations where an employee moves from a SPALC, Salary Schedule N, or ADMIN position to a TALC position; how would that work?
- They would still be employed and would not have a break in service before they start as an instructional staff member in August



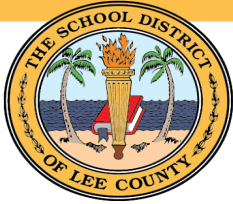
- If every condition is met, they would get paid as if they were part of the TALC bargaining unit
- Can you clarify what you mean by break in service? We have people watching on YouTube and they may not know what you are talking about when you say break in service
- A break in service is essentially termination of your employment, whether it is through resignation or retirement, you are either voluntary or involuntary, non-reappointed; termination of your employment for any reason for a period of one day or more is a break in service
- If a teacher is non-reappointed and gets hired back for the first day of school, is that a break in service? That is what I want to clarify so that people understand what we are saying
- If you work every day in the contract year and were non-reappointed, but you start on the first day of the work year, then there's no break in service
- If you work every day in the contract year and were non-reappointed, but you don't come back until two (2) Weeks into the school year, then there's a break in service
- As long as are working on June 3 and return on August 2, you should be okay, because you are working your last contracted day and still employed by the District on the first contract day of the next school year; there is no break in service over the summer time for people who do not miss a day of work
- The dates may vary if you're working on a 206-day or 216-day work year, but for most people, these would be the dates
- So the definition of break in service aligns with health insurance, you don't have lose your health insurance if you don't miss a day of work, but if you do, then your waiting period for health insurance restarts, correct? Yes

Test for Consensus – CONSENSUS

Straw Design B

STORY - RETENTION BONUS (ESSER)

- We are happy to get this done right before spring break; we put a lot of work into this option and it is great to see a positive outcome



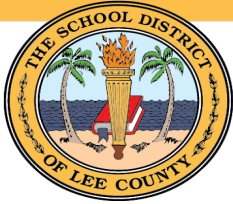
- We would like to try to get a Joint Communication out today; I think it is important for both parties that people know some progress has been made

STORY - ARTICLE 10 (COMPENSATION)

- We have a bit of a pressing issue relative to the issue of \$47,500 as the new minimum base salary
- The District received a letter from the Florida Department of Education (FL DOE) saying that we are one of only twenty (20) districts that is still bargaining at this point in the school year
- Three (3) of these twenty (20) are currently at impasse; there's sixty-seven (67) school districts in the state
- We have been asked to explain to FL DOE why we do not have an agreement on the minimum base salary of \$47,500; we have been called to Tallahassee on March 30, 2022 to provide an explanation, so we want to talk about that tonight
- I don't see that as a pressing issue, because the move to \$47,500 is an increase of only \$200.00 and neither side has even mouthed the "I" word, "impasse", at all
- I can't imagine that we wouldn't be able to add that \$200.00 to the bottom of the salary schedule without a commitment to do the same for the rest of the bargaining unit
- I understand and I agree with you; I think we are going to get there, but the District is also working under the pressure of another recent announcement that we must get all District employees to the new minimum wage of \$15.00 sooner than expected
- We're getting a lot of mandates from Tallahassee that are somewhat frustrating and we now need to be at the new minimum wage by October 2022

BARGAINING AUTHORITY

- The District received an additional \$2M in bargaining authority yesterday for TALC and hopeful it will get us to a point where we can reach an agreement
- Does that \$2M include the \$1,000.00 payment that was just negotiated for October 2022? No, that money is separate, because it's non-recurring
- I think the best way to move on is to put up an option for a \$1,000 bonus for everybody in October 2022



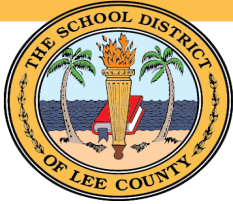
- The \$1,000 is non-reoccurring funds, but it is part of the bargaining authority
- So, we had \$9M in recurring bargaining authority and now we have \$11M, right?
Yes

Option

1. \$1,000 if still employed on last day of FY22 (2021-2022 school year) and payroll active and actively working with no break in service on September 30, 2022; payment date of October 14, 2022

STORY - RETENTION BONUS (ESSER)

- I'm confused; we had an orange circle around this for anyone who was employed on the last day of the contract for FY22 (2021-2022 school year) and is still employed with no break in service on September 30, 2022 with payment in October 2022
- Now we're adding another \$1,000 for those same employees, so they would receive \$2,500 in October 2022? Yes, but we're talking about non-recurring ESSER funds and non-recurring District funds, which is why we discussed them separately?
- We are offering two separate bonuses for retention for returning employees? Yes, it would ultimately add up to \$2,500.00 per eligible employee
- Both amounts are for retention only? Yes
- With this option the District would like to propose the same stipulations that would exclude any new hires from receiving this bonus
- The Board has emphasized the need for retention
- So, this is request of the Board, not the Superintendent? Yes
- Can you clarify how this bonus would be taxed? Yes, it would be taxed the same way as any other bonus
- Can you clarify that, because when we discuss bonuses and supplements, they are taxed differently? Does combining two bonuses change anything? No
- There is a different payroll withholding rate for bonuses, than for regular base pay, so which rate is being applied? Is there a higher percentage of the amount being withheld than if it was regular pay?
- Employees believe that when a bonus is included in their check all lines of payment are taxed at a higher rate
- No, withholding for regular payment is at the regular rate; not the 22% which is required for supplemental withholdings



Test for Consensus - CONSENSUS

Option 1

Check-Out

- The next TALC Bargaining Session is scheduled for Monday, March 28, 2022