



**TALC Contract Negotiations
FY19 (2018-2019 school year)
Joint Communication**

March 25, 2019

The TALC and District bargaining teams met on March 14, 2019 to continue negotiations for a successor agreement to the FY18 TALC Contract. Using the interest-based bargaining process, the teams discussed story, presented options, and reached consensus on the following items and the distribution of the \$18.2 million of bargaining authority provided by the School Board:

GWYNETTA S. GITTENS
CHAIR, DISTRICT 5
CHRIS N. PATRICCA
VICE CHAIR, DISTRICT 3
MARY FISCHER
DISTRICT 1
MELISA W. GIOVANNELLI
DISTRICT 2
DEBBIE JORDAN
DISTRICT 4
BETSY VAUGHN
DISTRICT 6
CATHLEEN O'DANIEL MORGAN
DISTRICT 7
GREGORY K. ADKINS, ED. D.
SUPERINTENDENT
ROBERT DODIG, ESQ.
BOARD ATTORNEY

Article 1 (Parties to the Agreement)

- Updates to PERC Certification Numbers and an Appendix with updated job titles for all positions that are part of the TALC bargaining unit

Article 2 (Rights, Privileges, and Responsibilities of Parties)

- Concerns about organizations with interests not aligned to the shared interests of the parties will be referred to the TALC Labor/Management Committee
- Removal of language requiring that TALC pay a transaction fee for payroll deductions for dues collection, since already exempt by Board Policy
- Clarification of the statutory requirements for dues cessation by citing Florida Statute

Article 3 (Negotiation Procedure)

- Removal of redundant/repetitive language and updates to date specific language

Article 4 (Grievance Procedure)

- Updates to existing language that improve clarity

Article 5 (General Employment Practices)

- Language concerning Probationary Contract status and Annual Contract status amended to ensure employee needs are met and the District is in compliance with Florida Statute
- Clarification of the expectations for reappointment and non-reappointment recommendations, including outlining the process for an employee to request a review of a non-reappointment recommendation
- Language will be added to inform employees of legal requirements concerning Veteran's Preference in employment

Article 6 (Working Conditions)

- The addition of language regarding expectations for work place civility
- The addition of language regarding protections for nursing mothers



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- The addition of language referencing School Board policies for reporting complaints of sexual harassment or discrimination
- TALC representation on the committee that reviews the Student Code of Conduct
- The addition of language referencing Florida Statutes regarding student discipline and expectations for classroom management
- Discussion of legal restrictions related to medical marijuana in the workplace

Article 7 (Work Schedule)

- Clarification of the language regarding duty-free lunch for instructional staff
- Clarification of the language regarding the scheduling of parent/teacher conferences
- Clarification of the language regarding pre-school week and expectations for school calendars
- Clarification of the District's expectations regarding sign-in procedures for Professional Learning Community (PLC) meetings
- Memorialization of the 226-day calendar for specific JROTC instructors
- Addition of a 206-day calendar option for School Psychologists
- Clarification of the language regarding sign-in procedures and utilization of the LeeClock
- Significant discussion of the concerns of instructional staff assigned to Department of Juvenile Justice (DJJ) locations, resulting in status quo and a commitment to continue to resolve site-based concerns through the TALC Labor/Management Committee
- Additional language requiring that all vacation requests be responded to in a timely manner, and their approval or denial be entered into PeopleSoft

Article 8 (Performance Evaluation)

- Clarification of the District's expectations regarding post-evaluation conferences
- Domain (1)(a) will be removed from the instructional evaluation instrument; Domain (1)(a) requires school-based administrators to evaluate instructional staff based on their lesson plans
- TALC Contract Article 7.01(4)(a)(1) still requires lesson plans, so the District can ensure compliance for students receiving ESOL or ESE accommodations, but lesson plans will no longer be part of the instructional evaluation

Article 9 (Disciplinary Procedure)

- Defining who is able to represent an instructional staff member in an investigatory meeting that may result in disciplinary action
- Discussion of an interest to improve opportunities for training of District employees as it relates to disciplinary procedures
- The TALC Labor/Management Committee will return with a recommendation regarding revision to Article 9 (Disciplinary Procedure) in FY20 (2019-2020 school year)



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Article 10 (Compensation)

- A proposed multi-year compensation plan was presented with a goal of increasing compensation for instructional staff from the 55th percentile to the 75th percentile
- Discussion of the impact of insufficient state-funding and restrictive state statutes concerning compensation for instructional staff
- Discussion of the continuing work of the TALC Labor/Management Committee to improve clarity and communication regarding compensation, including approval to ensure alignment of language in Article 10.05 (Pay Delivery)
- **Performance-based Pay:** An increase in base salary for teachers based on classification for the Career Ladder Movement and Final Performance Evaluations for FY18 (2017-2018 school year) and FY19 (2018-2019 school year).
 - Salary increases paid on May 31, 2019 and retro to January 1, 2019:
 - \$1,400.00 for Highly Effective in FY18 (2017-2018 school year)
 - \$800.00 for Effective in FY18 (2017-2018 school year)
 - \$1,000.00 for Career Ladder Movement in FY18 (2017-2018 school year)
 - Salary increases paid in December 2019 (tentative) and retro to July 1, 2019:
 - \$1,400.00 for Highly Effective in FY19 (2018-2019 school year)
 - \$800.00 for Effective in FY19 (2018-2019 school year)
 - \$1,000.00 for Career Ladder Movement in FY19 (2018-2019 school year)
- **Instructional Supplements:**
 - An update to language to address the expiration of the Teacher Incentive Fund (TIF) grant, which includes: a supplement for Learning and Leadership Teachers and Peer Collaborative Teachers, and payment of supplements based on Manager's Rating only
 - The addition of a supplement for Transformation Teachers to allow the District to meet the immediate needs of East Lee County High
 - Development of a rubric for determining eligibility for the Turnaround School supplement; the rubric evaluates trends in school grade and teacher retention
 - A \$4,000.00 supplement for all instructional staff assigned to Manatee Elementary, Fort Myers Middle Academy, East Lee County High, Ray V. Pottorf Elementary, Colonial Elementary, James Stephens International Academy, and Mirror Lakes Elementary for FY20 (2019-2020 school year) and FY21 (2020-2021 school year).
 - The addition of supplements starting in FY20 (2019-2020 school year):
 - Gifted Assessment Team Chairperson (Middle School) - \$400.00
 - District Science Fair Director (Elementary) - \$1,400.00
 - District Inventors Fair Director (Elementary) - \$1,400.00
 - Licensed Mental Health Clinician (LMHC) - \$600.00
- **Starting Salary Schedule:** The adoption of a Starting Salary Schedule and a true-up for current employees paid below the minimum starting salary of a new hire with the same amount of experience; to be paid after the salary increase for FY20 (2019-2020 school year) and includes the indexing of all instructional supplements.



Article 11 (Benefits)

- An increase to the Board contribution of \$360.00 per eligible employee, bringing the total Board contribution to \$7,360.80 per eligible employee per year

Article 12 (Leave)

- Significant discussion of concerns related to the solvency of the TALC Sick Leave Bank (SLB), resulting in the closure of the TALC SLB effective April 1, 2019; individual employee's sick leave balances will not be impacted by the closure of the TALC SLB
- Discussion of the continuing work of the TALC Labor/Management Committee to improve clarity and communication regarding leave
- Discussion of types of leave and complexity of statutory requirements surrounding leave
- Discussion of a long-term interest in developing a self-service leave request system in PeopleSoft
- Requirement that administrators enter all approvals and denials of leave requests into PeopleSoft for record keeping purposes
- The TALC Labor/Management Committee will return with a recommended revision of Article 12 (Leave) in FY20 (2019-2020 school year)

Article 13 (Participatory Decision Making)

- Clarification of language regarding participatory decision making and the make-up of bargaining related committees at the school and District levels
- Addition of a District Student Discipline Committee to assist in the annual review of the Student Code of Conduct

Article 14 (Duration and Acceptance)

- Housekeeping of existing language to remove redundant language and to ensure alignment with Article 3 (Negotiation Procedure) and corresponding articles of the SPALC Contract
- Addition of language concerning funding windfalls and shortfalls as grounds for either party to request a return to the bargaining table to discuss the potential impact of economic changes
- A three (3) year agreement with re-openers in FY20 (2019-2020 school year) and FY21 (2020-2021 school year)

The approximate amounts spent on these increases by category are as follows:

- **Performance-Based Pay:** \$17.7 million
- **Starting Salary Schedule:** \$0.5 million

An additional \$3.6 million has been committed for an increase to the board contribution for flex credits to be spent on health insurance for all district employees.