WASA New Superintendent Workshop
July 24, 2018

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ERNN Executive Director

Employee Relations and Negotiations Network
What is ERNN?

ERNN – The Employee Relations and Negotiations Network, is an independent, WASA affiliated organization that was established in 1992. Our members are Districts throughout the State of Washington that have joined together to learn from each other, share information and be more connected regarding collective bargaining.
The goal of all bargains...
But getting there feels like:
First, a little...

- Late 1970’s – State establishes a state salary schedule (called the LEAP schedule; or the SAM). Funding calculated using the “Mix Factor”.
- Late 1980’s – State has no money for salary increase, tells unions districts can fund increases; creates RCW 28A.400.200(4). Now know as TRI
Salaries and benefits for certificated instructional staff may exceed the limitations ... of this section only by separate contract for additional time, for additional responsibilities, for incentives, or for implementing specific measurable innovative activities, including professional development, specified by the school district...
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2017 – State eliminates SAM; every district must bargain their own salary schedule; doesn’t change TRI

2018 – Every district in the midst of bargaining.
Bargaining = Compromise

THEIR! FINISHED!

HEY. THAT'S TERRIFIC! WHEN WE WIN FIRST PRIZE, I'LL GIVE YOU 25% OF THE WINNINGS.

WHAT? I DID ALL THE DRAWING! YOU SHOULD GET 25%!

BUT IT WAS MY GREAT IDEA! WE'LL SPLIT 60-40.

50-50.

OH, ALL RIGHT, BE SELFISH!

A GOOD COMPROMISE LEAVES EVERYBODY MAD.
New Superintendents –
Before bargaining, build relations

Three (easy) steps...
OK, there’s Four, and they’re not that easy...
Building Relationships with your Association: 

STEP #1

* Know your Associations
Knowing the Association

* How many associations are there in your district?
* Read each CBA (Collective Bargaining Agreement)
* Who represents them?
* Who are the key players in the Association?
  (President, Vice President, Grievance Chair, Lead Bargainer)
* Who are the Reps?
  (WEA, PSE, Teamsters... )
Building Relationships with your Association:
STEP #2

* Respect the Contract!
Don’t step on the “land mines”

- Seniority
- Hiring
- Assignment, vacancy, transfer
- Promotions
- Casual Labor
- TRI provisions

What management rights been bargained away?

What are the past issues? How were they resolved?
Building Relationships with your Association:

**STEP #3**

* Communicate with your Associations*
Communicating with your Association:

* Open communications with your associations
  * “Listen to Learn; Learn to Listen”

* Meet regularly
  * Labor/Management meetings
  * Visit schools together

* Restructure the meetings if needed, but tread softly

* Willingly share information
  * use as an opportunity to teach
Building Relationships with your Association:

STEP #4

* Start for your next bargain now!
Bargaining in 2018

"Don't let it throw you - it's just a negotiating tactic."
Range of Settlements (so far...):

* Teachers: From $40,760 including 3 deemed done days to $46,000 not including any deemed done days.

* Classified: 3.1% to 10% across the board.

* All but two or three of the settlements so far have come from districts that have high assessed valuation, low levy rates, and have mid to low mix factors.
Why can Districts vary so much on their starting salary?

The simple answer: **Mix Factor!**

<table>
<thead>
<tr>
<th>District</th>
<th>2017-18 Mix Factor</th>
<th>Minimum base salary</th>
<th>Base * Mix</th>
<th>Estimated total cost</th>
<th>2018-19 Funding/FTE</th>
<th>2018-19 Total Funding</th>
<th>Available for Bargaining</th>
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<tbody>
<tr>
<td>130.00</td>
<td>1.41</td>
<td>$40,760</td>
<td>$57,472</td>
<td>$7,471,308</td>
<td>$65,216</td>
<td>$8,478,080</td>
<td>$1,006,772</td>
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<tr>
<td>130.00</td>
<td>1.57</td>
<td>$40,760</td>
<td>$63,993</td>
<td>$8,319,116</td>
<td>$65,216</td>
<td>$8,478,080</td>
<td>$158,964</td>
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*The lower the mix factor, the more you have to bargain with.*
The Big Issues!

1. Designing a salary schedule.
2. Is there a salary cap? - 3.1% or up to State average ($71,711)
3. Including the “R” in the Salary schedule
4. Teacher work day (7.5 or 5.7 hours?)
5. Calculating per diem.
6. Paid Family Leave
7. Janus Decision
WEA is proposing compacted schedules, some reaching the top at 10th year. Rationale: the faster you get to the top salary, and the longer you’re there, the more you make during your career.

Costs 30%-50% more than the LEAP

If you use the LEAP, and your starting salary is more than $40,760, you may not need to adjust steps to be 10% more after five years.
A school district collective bargaining agreement that is executed or modified after July 6, 2017, and that is in effect for the 2018-19 school year may not provide school district certificated instructional staff with a percentage increase to total salary for the 2018-19 school year, including supplemental contracts, that exceeds the previous calendar year's annual average consumer price index, using the official current base compiled by the bureau of labor statistics, United States department of labor, for the city of Seattle. However, if a district's average certificated instructional staff salary is less than the average certificated instructional staff salary allocated by the state for that year, the district may increase salaries not to exceed the point where the district's average certificated instructional staff salary equals the average certificated instructional staff salary allocated by the state.

This section expires August 31, 2019.
Per diem calculation:

Be careful of language proposals like this:

- “The employee’s hourly per diem rate shall be based on the individual employee’s total compensation (placement on the salary schedule plus supplemental contracts) for a 180 day contract.”

- “The per diem hourly rate will be determined by dividing the employee’s salary by 1080 hours.”
RCW 49.78

Commencing January 1, 2020, employees shall be eligible to receive Paid Family and Medical Leave (PFML) under the Washington State Family and Medical Leave and Insurance Act. To be eligible for this leave, employees must have worked a minimum of 820 hours within the past calendar year. **Such leave shall be used consecutively with the employee’s other leave entitlements unless the employee elects otherwise.** Commencing January 1, 2019, the District shall pay the full amount of the payroll premium to fund this leave. The District shall use the state insurance as the carrier for PFML to ensure ongoing compliance with the law. When such leave is used for pregnancy/maternity disability, the District shall maintain health insurance benefits during periods of approved PFML leave.
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And, if all else fails...

“A mediator hasn’t worked, so I brought in everyone’s moms.”
Let us know what’s happening in your District!

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