



**2017 ACBO Spring Conference**

# **Collective Bargaining with Our Slow Recovery**

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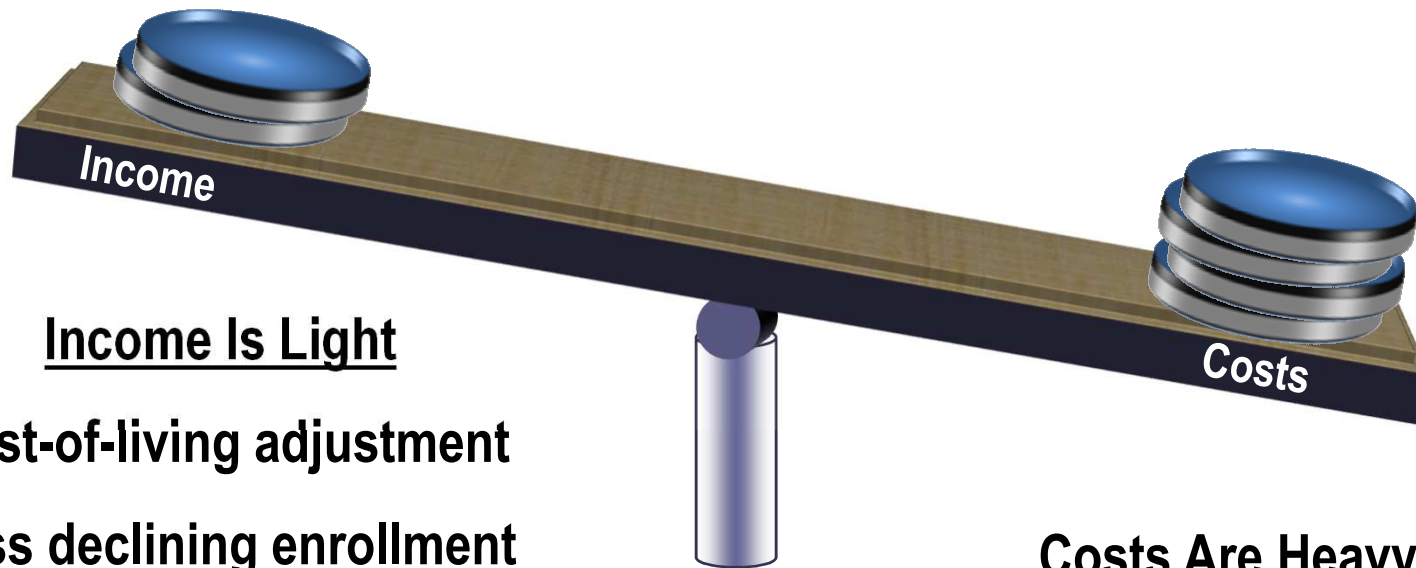


**John Gray, President  
School Services of  
California, Inc.**

# Negotiation Strategy – Educate with Real Numbers



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## Income Is Light

Cost-of-living adjustment

Less declining enrollment

## Costs Are Heavy

Step and column

Health benefits

Unavoidable “thing” cost increases

**CalSTRS\* and CalPERS\*\***

\*California State Teachers' Retirement System (CalSTRS)

\*\*California Public Employees' Retirement System (CalPERS)

# Things Unions Do That Result in You Ending Up in Factfinding



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## What They Do

- Go nuts over the ending balance
- Miscommunicate to their members
- Fall in love with one part of a neighbor's multipart settlement
- Negotiation team members negotiate for themselves
- Poking the bear (trustees)
- Not knowing the rules of engagement
- Not being prepared
- Thinking that the CalSTRS/CalPERS increases are just the cost of doing business
- Not understanding total compensation

## What Can You Do?

**Educational Employment  
Relations Act (EERA) 3548.2**

**Prepare for bargaining  
as if you are going  
all the way to factfinding**

# Things We Do to End up in Factfinding



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## What We Do

- Oversell our position to the community
- Back our trustees into a corner
- Not communicating with our neighboring districts/colleges
- Not planning
- Not listening

## What Can We Do?

**EERA 3548.2**

**Prepare for bargaining  
as if you are going  
all the way to factfinding**



## Union Tactics

- Isolate the chief business official (CBO) from the chancellor/president
  - Place the barrier to settlement squarely on the management team
  - Complain about lousy leadership and poor working conditions
  - Use the word “crisis” in all communications
  - Vote of “no confidence”

## District Response

- Reinforce that they are the district's numbers, not just the CBO's numbers
- Highlight with the union and the board that the numbers are reviewed and verified by oversight agencies and an auditor
- Consider an independent validation of the budget
- Support the CBO!



# Common Tactics



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## Union Tactics

- Isolate the chancellor/president and CBO from the board
  - Complain about the lack of accurate financial information
  - Compliment the prior CBO's numbers and accuracy, i.e., "we used to get good information that we could rely on for bargaining"
  - Place the barrier to settlement squarely on the CBO

## District Response

- Extend the chancellor's contract!
  - Keep the discussion professional
  - Deal with facts



## Union Tactics

- **Lambs to the slaughter – get the trustees to come to the bargaining table**
  - Demand it publicly
  - Get union members to call individual trustees
  - Tell them that they are not getting the full picture from their negotiating team
  - Threaten stakeholders that the board is dying to reach an agreement
  - Picket board trustees' businesses

## District Response

- **Educate the board of trustees on the impasse process**
- **Provide short appropriate responses for individual trustees**
- **Educate the board on union tactics before they start**
- **Reinforce that a united board will lead to a more timely and appropriate settlement**

# Preparing for Negotiations



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## **Factfinders shall consider (EERA 2548.2):**

- 1. State and federal laws applicable to the employer.**
- 2. Stipulation of the parties.**
- 3. Interest and welfare of the public and the financial ability of the public school employer.**
- 4. Comparison of the wages, hours, and condition of employment with other employees generally in public school employment in comparable communities.**
- 5. The Consumer Price Index for goods and services, commonly known as the cost of living.**
- 6. Overall compensation, including wages, vacations, holidays, insurance, pension, medical, and hospitalization benefits received.**
- 7. Any other facts not included in 1 to 6 above, which normally are taken into consideration in making findings and recommendations.**



## Comparative Districts



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- Chabot-Las Positas Community College District (CCD)
- City College of San Francisco
- College of Marin
- Contra Costa CCD
- Foothill-De Anza CCD
- Ohlone College
- Peralta CCD
- San Jose-Evergreen CCD
- San Mateo County CCD

# Salary Increases



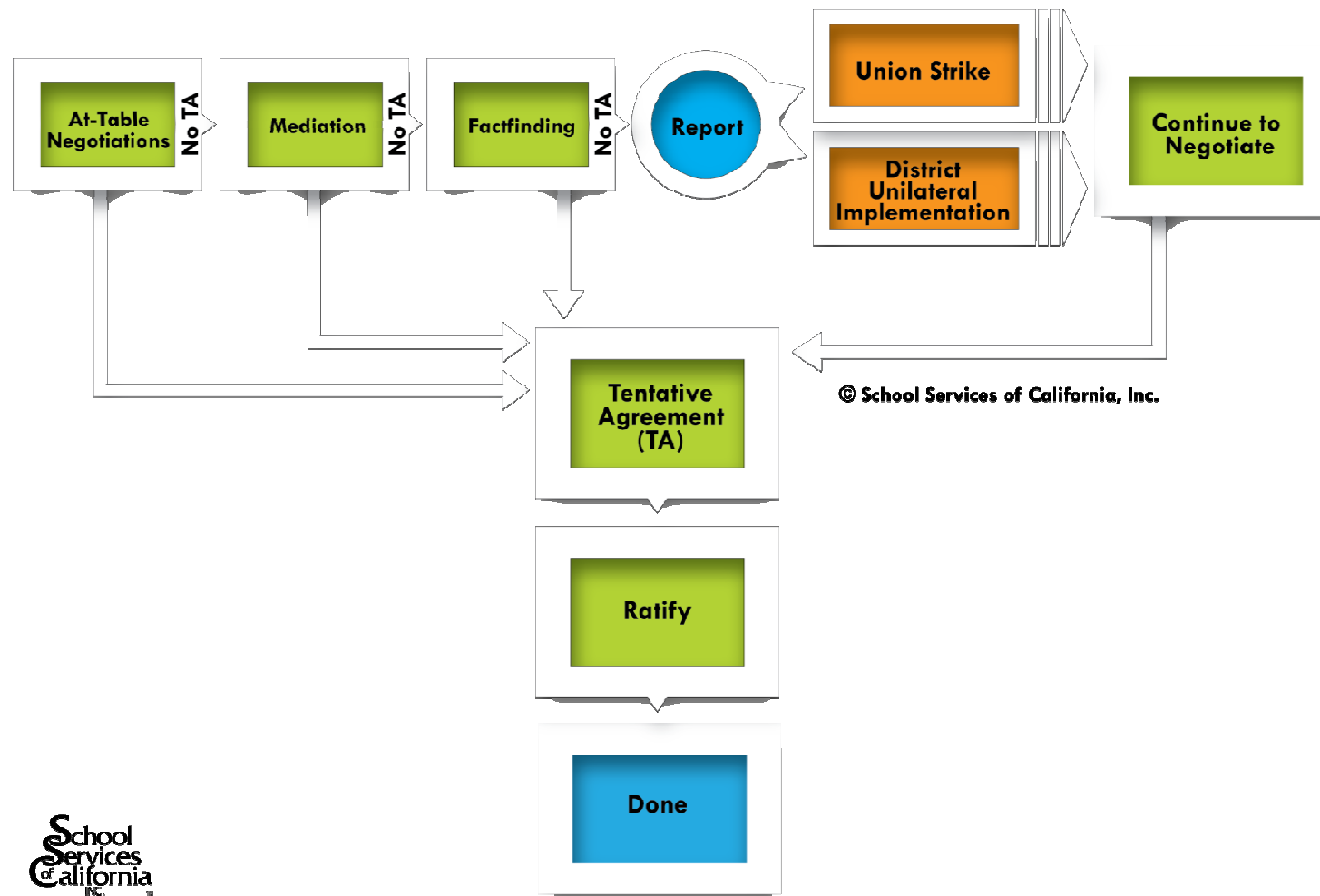
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Salary Increases		
Year	Consumer Price Index	Total Salary Increases
2014-15	1.50%	7.85%
2015-16	2.07%	2.00%
2016-17	<u>2.37%</u>	<u>7.20%</u>
Total	5.94%	17.05%

# Negotiations Process



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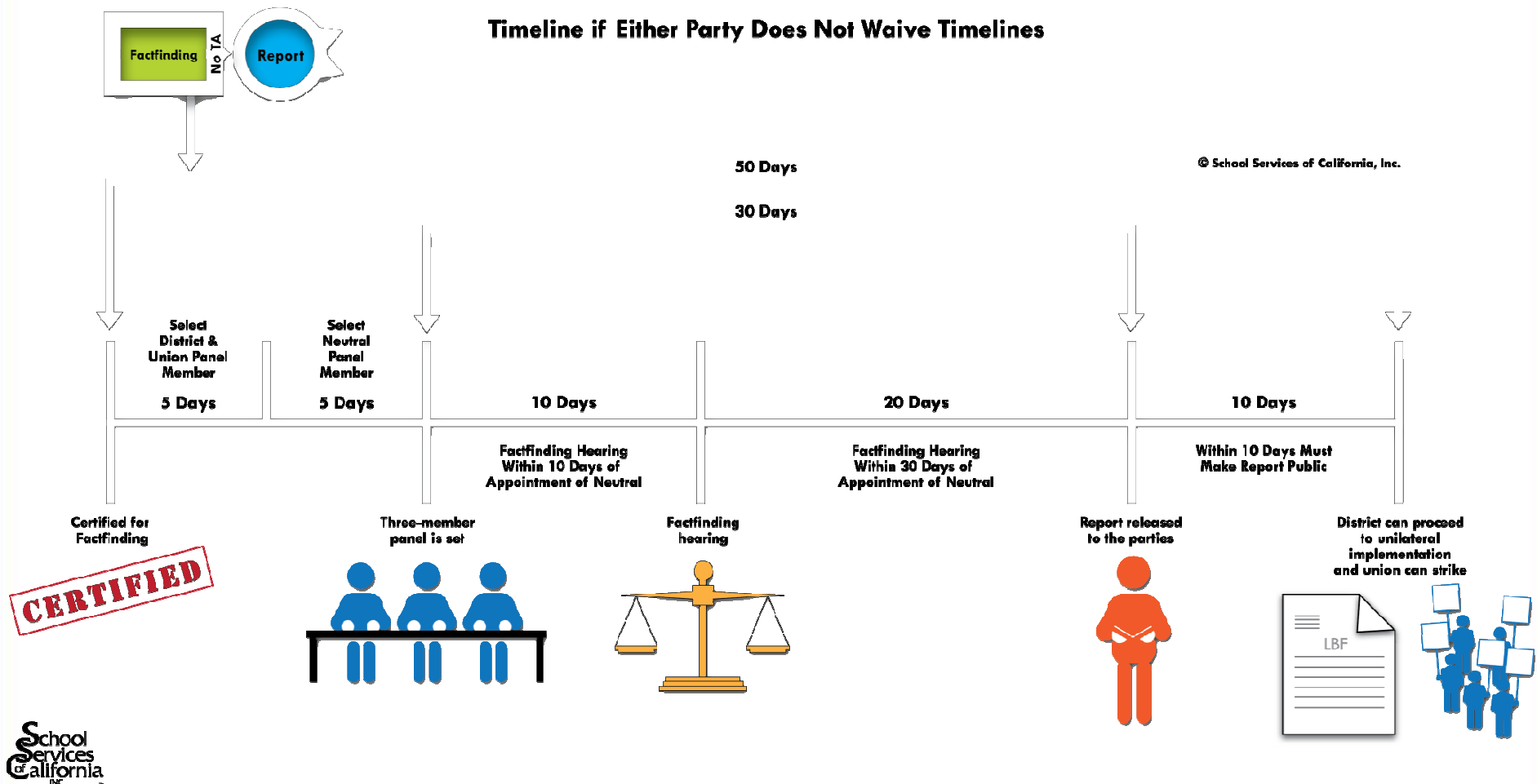


# Negotiations Process Timeline



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## Timeline if Either Party Does Not Waive Timelines





# Questions?

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