

**2017 ACBO Spring Conference
Collective Bargaining with Our Slow Economy
May 22, 2017**

2017 ACBO Spring Conference

**Collective Bargaining with
Our Slow Recovery**

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**School
Services
of California
INC.**
An Employee-Owned Company

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1 **Negotiation Strategy –
Educate with Real Numbers**

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Income

Costs

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**

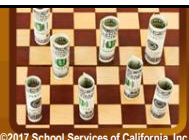
*California State Teachers’ Retirement System (CalSTRS)
**California Public Employees’ Retirement System (CalPERS)

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2	Things Unions Do That Result in You Ending Up in Factfinding	
	What They Do	What Can You Do?
	<ul style="list-style-type: none"> ● 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 	<p style="text-align: center;">Educational Employment Relations Act (EERA) 3548.2</p> <p style="text-align: center; margin-top: 20px;">Prepare for bargaining as if you are going all the way to factfinding</p>



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3	Things We Do to End up in Factfinding	
	What We Do	What Can We Do?
	<ul style="list-style-type: none"> ● Oversell our position to the community ● Back our trustees into a corner ● Not communicating with our neighboring districts/colleges ● Not planning ● Not listening 	<p style="text-align: center;">EERA 3548.2</p> <p style="text-align: center; margin-top: 20px;">Prepare for bargaining as if you are going all the way to factfinding</p>




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4 **Common Tactics** 
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Union Tactics	District Response
<ul style="list-style-type: none">● Isolate the chief business official (CBO) from the chancellor/president<ul style="list-style-type: none">■ 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”	<ul style="list-style-type: none">● 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!

5 **Common Tactics** 
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Union Tactics	District Response
<ul style="list-style-type: none">● Isolate the chancellor/president and CBO from the board<ul style="list-style-type: none">■ 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	<ul style="list-style-type: none">● Extend the chancellor’s contract!<ul style="list-style-type: none">■ Keep the discussion professional■ Deal with facts

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6

Common Tactics



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Union Tactics

- Lams 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

7

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.

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8

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

9

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%

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