

## CBLT Bargaining Minutes

10/14/20

Virtual: ZOOM

### 1. Voices of the Members

- a. CTA read several emails from members describing concerns, including teachers who had experienced unsafe working conditions.
- b. District requested copies of the emails that were read.

### 2. Main Table Bargaining: Salary

- a. CTA presented a counter-proposal (see document) that returned prekindergarten teachers not funded by the Florida Education Finance Program (FEFP) to the salary language as CTA explained that they bargain for the entire instructional unit and would not leave any members out.
- b. CTA agreed with all other District revisions to the Salary proposal.
- c. CTA presented a re-revised Salary MOU (see document) that added language in the event that any other OCPS employee received a wage/salary increase in the 2020-2021 school year, outlining that all bargaining unit employees would then receive an additional salary increase of the same percentage.
  - District asked for a clarification example and then following that discussion, voiced that they understood the proposal.
- d. CTA presented a revised Appendix A (see document) that removed the differentiation of salary ranges for VPK teachers.
  - CTA reiterated that they bargained for all instructional members and would need to include VPK teachers in salary increases, like Brevard County.
  - CTA requested a breakdown in how the 109 VPK teachers were funded and requested that this team problem-solve mechanisms to bridge the \$211K gap. OCPS required these instructors to hold FLDOE teaching certificates and therefore should be paid like other certified teachers.
- e. District stated that FL statute 1012.01 only spoke to K-12 instructional personnel, which was referenced in the house bill that provided salary increases. District inquired if CTA was asking the District to fund the VPK teachers with other funds.
  - CTA clarified that they were asking that funds be adjusted, as necessary. For example, VPK teachers funded with Title 1 money might entail an adjustment to that budget.
  - District asked if they agreed to fund VPK teachers, would that “seal the deal?”
  - CTA confirmed that yes, they would be in agreement

### 3. Impact Bargaining : Mental Health Proposal

- a. CTA shared their counter-proposal (see document) which adjusted the compensation time, proposing two twenty minute after-school segments of time for high school teachers to leave with students that would be similar to the proposed time for middle school teachers to arrive with students.
- b. District stated that they would review the proposal and consider during caucus.

### 4. Impact Bargaining: Instructional Evaluations

- a. CTA reminded that team that Evaluations was being discussed under “Impact Bargaining” in an effort to mitigate the impact of COVID-19 on the evaluation system for this school year only.
  - District stated that they understood.
- b. CTA asked if the District was prepared to provide a response to the Evaluation MOU proposed by CTA on October 8<sup>th</sup>.

- District stated that they may offer a counter proposal after caucus and that they had no additional questions at the time.
- c. CTA reiterated that their members were having an extremely stressful year. While teacher workload was always an issue, this year it was “over the top.” Teachers working under the hybrid model were working under conditions that were never bargained or agreed to.
  - One teacher today emailed the union stating that they were now being required to teach students in kindergarten and first grade at the same time.
  - Teachers were being told that these types of circumstances were the result of funding issues, while the District maintained that there were no cuts.
  - CTA also heard from a school that cut two Art positions with full rosters of 27 students in each class.
  - Last week CTA heard from teachers at a school where they received the message that 10 teachers would be cut and if volunteers did not come forward, they would be selected by administration.
  - These examples emphasized the types of stressors that teachers were working under and emphasized the need to craft the least stressful evaluation process possible.
- d. District thanked CTA for their feedback and stated that they would keep this information in mind during their caucus.

#### 5. CTA Request to Review Record Request Status of Information Received

- a. **7-28-20** CYA requested specific correspondences regarding COVID-19 between District leaders and various health experts, however all that had been received was a billing estimate for charges that would be incurred. CTA has narrowed the request but the invoice remained in the thousands of dollars.
  - CTA stated that it was very difficult to bargain and make proposals when information was so difficult to attain.
  - District bargaining team members stated that they never saw the correspondences that CTA spoke of and suggested that these be forwarded to them to look into.
  - CTA added that they were being told that the District would spend 250 hours to pull the requested emails and redact confidential information, costing over \$4000; however CTA narrowed the frame of reference to only public entities. Therefore, nothing should be redacted.
  - District asked if the information was being requested for CTA’s lawsuit.
  - CTA responded, “no,” the information was for bargaining.
- b. Additionally, CTA stated that District responses to numerous other requests yielded a pattern of incomplete responses, as well as non-answers.
  - For example, **8-7-20**, when asked how many teachers were offered their “preference” when asked about teaching models, CTA was told the information was not maintained centrally and that principals had explained the process at bargaining.
  - District responded that this information would be time-intensive to gather as they would need to seek this from principals at the school level, but added that they would be willing to follow-up and attain the information.
- c. District commented that overall, while CTA might not agree, they had responded to the majority of requests or were working on them.
- d. **9-8-20** CTA requested an updated list of members of each school's Crisis Team and were told: “Working with District Police to address.”
  - District explained that Crisis Teams were different from Threat Assessment Teams and they would resend the email that addressed the response sent to CTA last year.
- e. **10-1-20** CTA voiced that there were multiple non-responses and conflicting responses from the District on this date, such as the number of teachers who resigned since July 31, 2020 and was different from the response given to the press.

- District responded that it had only been two weeks since the 10/1/20 requests and many of these items took time. District inquired about which 10/1/20 items related directly to what was currently being bargained.
  - CTA explained that they were all relevant and impacted their workforce, transfers, releases and contract language. Teachers were being uprooted and it was difficult to know if violations existed.
  - District voiced that the numbers and information changed daily but agreed to send it.
  - CTA replied that they were trying not to point fingers, but needed information in a timely fashion so that this team could work collaboratively, having all the same information, and thus strengthen the joint working relationship.
- f. Since August, CTA has requested to receive District communications that went out to members, simultaneously. This would seemingly entail just placing CTA leadership on the emailing list in real time. Some districts actually had communications with the union prior to sending correspondences in order to make sure there were no unintended consequences. CTA was not asking for anything that complicated.
- District stated that they did send CTA the correspondences very soon after they sent them to their employees.
- g. **10-2-20** CTA requested that COVID attachments sent by the District be resent as an EXCEL spreadsheet, as it was confusing, and the back and forth explanations from the District were very puzzling.
- District explained that this was how they received the information and that they did not have it in EXCEL. The right column was a summary of totals by work location, calculated from the numbers on the left.
  - CTA pointed out that there were still departments, such as transportation, listed that did not point to the location of a COVID case.
    - District stated that at the beginning, this was how cases were recorded but now this had changed and reflected school sites.
    - CTA asked about the positive case on 9/7/20, listed as “ESE” and reiterated the need for transparency.
    - District responded that they would attempt to attain some of the back data and get confirmation that all cases would now reflect work sites.
  - CTA voiced that they now held a better understanding of information received which was why these conversations at the table were so important.
    - District agreed and stressed that they were trying to be transparent.
- h. **Document: “RESPONSE TO REQUEST FOR INFORMATION, Questions from CTA Bargaining Session on 09/30/2020 and Additional Questions on 10/01/2020”**
- 4) CTA found the District response to a “List of instructional personnel whose salaries are paid for by grants” confusing in the form of an ambiguous 24-page document.
    - District stated that their response was broken down by grant and included the portion of the position paid for by the grant.
    - CTA stated that now that this was explained, it made sense but they could not make assumptions from the documents received.
  - 8) CTA pointed out that the list of administrators awarded the 25.1% retirement package had increased from 195 to 230 and they had now requested each administrators salary.
- i. **Exhibit C & D: Enrollment Summaries by School (11/4/19 & 10/1/20)**
- CTA had requested enrollment by school, never asking for student race, but rather simply numbers.
  - CTA needed to know number of teachers assigned to F2F, Launched@Home and Hybrid models, broken down by school.
  - District stated that this took time and changed daily, but agreed to collect the information.

- j. **Exhibits A, B & C (ESY, Summer Programs and Camps)**
  - CTA voiced disappointment that they were just receiving information to questions related to summer school now and this information was currently useless to them.
- k. **Exhibit D ADA Accommodations**
  - CTA asked why so many teachers were being asked to come to school when they only taught virtual students, as such was cruel and made no sense.
  - District said that these decisions were made at the discretion of the principals and was now in the hands of the magistrate.
  - CTA asked if the District maintained an aggregate count of teachers who received ADA accommodations but were forced to teach F2F against their preference.
  - District stated that there was no documentation that captured these numbers and they would have to go school by school to figure it out.
  - CTA asked the District to please research and determine how many teachers applied for ADA accommodations since July 1, 2020. How many were approved? How many denied?
- l. CTA thanked the District as they found it beneficial to go through these documents together to obtain clarification as well as determine when additional follow-up was needed.
- m. District asked that any further clarifications or questions be provided to them in writing.

#### 6. CTA Additional Issue: Arts Supplement

- a. CTA was informed today that teachers at Howard MS were denied the Arts supplement based upon a communication from the District.
  - In the Spring, teachers spent an abundance of hours, after the duty day, creating a virtual website and were doing the same thing this school year. Other examples included community activities in the evenings and on the weekend, such as murals.
  - Last night the School Board praised the work of all those involved with the Arts this year and their creativity during a pandemic.
  - CTA never agreed to discontinue this supplement at the bargaining table.
- b. District reminded CTA that at the last CBLT session they suggested that a separate meeting be convened to address this concern. They also asked CTA to send any documents they could supply.
  - CTA voiced that the District needed to tell principals to pay the supplement or they would be left with no option but to file grievances. They will be reaching out to survey members to see how many were denied the supplement.
  - CTA also asked the District to provide additional information regarding the district directive to withhold the Arts supplement this year.

#### 7. District Responses After Caucus

- a. **Salary** (see document). District removed VPK teachers from the salary proposal, as they were not funded by FEFP as required in this provision. They did add them to the “me too” MOU proposal and added exclusions for people who move positions. However, District adamantly believed that there would be no additional money from the state this school year.
  - CTA asked for confirmation that if any bonuses were distributed then these would be turned into a percentage to see which teachers would be eligible.
  - District stated that this was correct.
  - CTA reiterated that the VPK teachers were part of their bargaining unit and asked if the District was ready to respond to their request on how each VPK teacher was paid.
  - District replied that they were working on it.
- b. **Mental Health** (see document).
  - District proposed that High School teachers would be permitted to leave 25 minutes early on the day of the Mental Health instruction, as well on the Friday of the same week.

- District proposed that Middle School teachers would be permitted to arrive to work at 9:00am on the day of the Mental Health instruction, as well as on the Friday of the same week.
  - CTA would review and consider.
- c. **Duty Day** (see document)
- District added “where possible” to long-term substitute language for non-classroom teachers on long-term leave.
  - They also agreed to language that was included in the settlement agreement, but crossed through language that was not part of that agreement.
    - CTA stated that they were permitted to propose additional language that was needed.
    - District agreed that such was true but they were under the impression that it was only CTA’s intention to codify the settlement agreement within contract language.
    - CTA responded that there was a need to elaborate and the contract language would take precedent. There was not a sufficient substitute pool at this time. CTA members were reporting that they were being utilized as permanent subs.

#### 8. CTA Additional Issue: Targeted / STO/ Corrective Schools

- a. District stated that they previously sent CTA a list of Targeted schools and recently sent STO/ Corrective
- STO schools were their most fragile schools.
  - Targeted schools were in the contract. Every STO school was included, plus more details about schools and the letter grade they received.
    - CTA asked how these were determined since no letter grades were assigned to schools last year.
    - District replied that they kept most schools on the list except the three schools that were considered “grey area” schools last year: Lancaster, Ridgewood and Shingle Creek.
- b. CTA asked if teachers were given the option to change school assignments if they did not wish to do the extra work assigned to STO schools, such as the extra reading instruction.
- District responded that as soon as the state notified the county, they immediately notified teachers, giving them a window of time to let the District know if they wanted a transfer and then the District would work to find them a position.
- c. CTA asked how Corrective schools were determined.
- District replied that while Targeted schools were in the contract, Corrective schools were a District decision.

#### 9. Closing Remarks:

- a. CTA asked if the District had responses to any of their other contract language proposals.
- b. District responded, “not at this time.”
- District added that they were prepared to move forward on the Appendix language that changed guidance counselors to the other Marzano evaluation model designated for non-classroom teachers.

#### 10. Next CBLT meeting:

- 10/21/20 10:30am
  - Continue Impact Bargaining for Evaluation and Mental Health, as well as Main Table Bargaining for Salary