

CBLT Bargaining Minutes

7/16/20

Virtual: ZOOM

1. CTA Opening

- a. The president read an opening statement (see document), stressing the need for the District to make data based decisions like those that they expect from their teachers. Extensive, current statewide data was shared including the fact that Florida is now considered the epicenter of the virus, with record-breaking cases and increasing deaths, as well as a high positivity rate for children tested. While CTA acknowledges that face-to-face learning is optimal, they cannot support any reopening plan that will expose students and teachers to illness or death.
- b. The District cannot ask teachers to violate the FLDOE Rule 6A-10.081, Florida Administrative Code, Principles of Professional Conduct for the Education Profession that outlines their obligation to protect students from conditions harmful to learning and/or to the student's mental and/or physical health and/or safety.
- c. CTA is tired of hearing District plans from the press or from teachers who forward a News You Can Use email to CTA. They demand that the District bargains all working and salary issues related to any plan that the District approves, in good faith.
- d. District requested copy of this statement.

2. District Opening:

- a. They are prepared to offer a counter-proposal to CTA's "Principals and Ground Rules." They also have a response to the CDC guidelines MOU, as well as the Reopening MOU. District has forwarded answers to 95 of CTA's questions with a completion rate of 97%. The Safety and Management Team are researching the other three questions.
- b. CTA stated that they are not casting irrelevant questions but rather seeking answers to issues that have emerged during discussions. Someone should be sitting at the table, on the District's team, to respond to such questions during negotiations.
- c. District maintained that they must reach out to a variety of people who cannot all be present.
- d. The District also wanted to remind CTA that the Board still has not made a reopening plan decision, so they are unable to bargain the effects of the decision. They hope that a decision will be made at the next Board meeting on July 17th and believe that good discussion can still occur today.

3. District Responses to CTA Proposals:

- a. Principles and Ground Rules:
 - District offered a counter proposal (see document) that struck through the section that described "principles" and focused their counter proposal on the "ground rules."
 - CTA asked why it took the District so long to offer a counter to Ground Rules that were passed across the table on June 22nd.
 - District stated that in the absence of a re-opening decision from the Board, the ground rules would not have taken effect, but now, are willing to have these in place, as we should soon be able to negotiate the effects of the Board decision.
- b. Reopening MOU (Version #2)
 - District has reviewed this document and are "holding" before making a counter-offer until the Board makes its reopening decisions. However, the District stated that this CTA proposal likely includes tenets that the District will consider.
 - District received Version #3 and asked if it was new or a modified #2?
 - CTA affirmed that #3 included modifications to #2.
 - District would like to hear more details about this latest version.

c. CDC MOU

- District stated that based upon the Emergency Order from the Commissioner of Education, this MOU was not something that they could agree to. They will continue to monitor the pandemic and consult with the Department of Health, as well as local medical professionals.
- CTA replied that they have a problem with this position. The Emergency Order is dangerous. If CDC guidelines are not followed, the District is endangering the lives of students, employees and families.
- District explained that if they had agreed to this MOU prior to the Emergency Order, they would now find themselves in direct contradiction.
- CTA expressed that there are plenty of laws and policies that must be followed, such as the Principles of Professional Conduct. The District is quick to haul instructional staff down to the Professional Standards office when they are suspected of violating one of these principles but now the District is asking teachers to ignore the standard that requires them to protect students from harmful learning conditions.
- District stated that the Emergency Order is specific and leaves little room for interpretation. They are monitoring local conditions with the FL Dept. of Health. The current situation is fluid and decisions may change based upon the advice of these medical professionals.
- CTA has no confidence in the state department of health. They question where Dr. Pino was when the Board met last Tuesday, despite there being a request for his presence. While he recommended the cancellation of outdoor graduation ceremonies, he is condoning indoor instruction, in classrooms, with our precious students.
- District maintained that they must follow the state order verbatim.

4. Voices of the Members

- a. CTA read several emails from members describing their concerns related to the re-opening of schools.

5. CTA Proposal: Reopening MOU (Version 3)

- a. District asked a clarifying question about items that were bolded and underlined.
- b. CTA clarified that if language is not bolded or underlined, it existed in version #2. If there are strike throughs, CTA has removed that language from version #2.
- c. CTA stated that they planned to highlight sections of this latest revision (see document), adding that there are many portions of the proposal that could be agreed upon no matter what decision is made by the Board. Efforts have been made to align distance-learning tenets with substance related to possible return to buildings, in order to offer an ability to move back and forth, as necessary.
- d. CTA preceded this review by pointing out that they were very surprised to hear about the change in the student calendar from the press, including postponing teachers' start date and their first paycheck. When a salary schedule is changed, this is changing a teacher's working conditions which is not allowed. CTA added that teachers should still begin work on July 31st, as written in the agreed upon MOU and use the extra time for paid professional development, developing safety protocols, refiguring instruction and classrooms and an opportunity to stockpile PPE.
- e. 8) Adds language that negates the requirement that instructional staff report to the Office of Professional Standards if positive for COVID-19 or exposed, as delineated on the Q&A document from the District website.
 - District requested time to review this document and CTA took a moment to read the applicable portions aloud.
 - District stated that they will research this and respond

- f. 54) CTA aimed to make sure that teachers are not required to do two things at once. Safety was a driving issue. Teachers cannot control factors going on in students' home nor can they maintain their attention to students in front of them and those participating virtually. Discipline concerns, as well as supervision, privacy and workload come into question.
 - District stated that they understood CTA's position.
- g. 21) Electronic sign-in sheets helps to avoid staff congregating at the beginning and ends of school days.
- h. 34) onward: Distance Learning
 - CTA has set out to make this MOU as close as possible to a regular school day for students.
 - District asked if this section pertained to LaunchEd.
 - CTA stated, "It depends." Distance learning can be many things. CTA has not seen a detailed plan from the District, only slides from a PowerPoint. They are trying to work with the District to ensure a high quality education that students deserve.
 - District explained that the Innovative Plan has very specific requirements outlined by the state. These must be adhered to or the plan might be rejected.
 - CTA voiced that the School Board and District have a very different interpretation of the law than the Florida Education Association and union leaders.
 - District relayed that the location where teachers can teach, as well as the calendar will be decisions that the Board will make tomorrow. However, there are elements that this team can address based on the effects of that decision.
 - CTA stated that they do not agree with the LaunchEd decision.
 - District stated the decision is a management right and this group only bargain the effects.
 - CTA indicated that nothing in their proposed MOU conflicts with the state order for an Innovative Plan.
 - District stated that they understood CTA's position.
 - CTA pointed out that the parameters of "impact bargaining" allow for negotiations within a reasonable timeframe before the Board makes their decision. CTA has been requesting to bargain many reopening tenets that will apply no matter what decision is made by the Board tomorrow. Now the team finds themselves on the eve of a Board decision.
 - District understood CTA's position, but disagreed. Both parties want to reach an agreement and the District is hopeful that this will occur at the next bargaining session.
- i. 53) & 54) address workload, flexibility and vulnerable employees.

6. Next CBLT meeting:

- a. Wednesday July 22nd 9:00-5:00