

September 9, 2020

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IASBO REGION 6

Bargaining Timeline
Gateway Deadlines
NPD 2020-01
CBA Compliance
Data

Deficit Financing
Pre Impasse Service
Bargaining Revenue and Expense Disclosure
Last, Best Offer
Summary Timeline

BARGAINING TIMELINE

- Informal Bargaining prior to September 15
 - Public Hearing - parties may not bargain until a public meeting is held and testimony is taken
 - Hosted by both parties
 - Can take place starting July 1
 - Must allow public testimony on teacher compensation
 - Public testimony must be provided to the school board
- Formal bargaining begins September 15 - [Guide to Bargaining and Impasse](#)
 - Public Meeting – Tentative Agreement (TA) Meeting
 - 72 hours notice – post TA on website
 - Open Door Law requirements apply
 - School board to discuss the TA
 - Public Meeting – Ratification Meeting
 - At least 72 hours after first, TA, public meeting
 - Must allow public comments
 - Open Door Law requirements apply
- Bargaining ends November 16
- Impasse begins November 17
 - Mediation
 - Fact-finding
- Fact-finding ends February 15

GATEWAY DEADLINES

- **September 15**
 - Collective Bargaining window opens
 - Union President submits Exclusive Representative Organization Membership Affidavit (ERO) to Superintendent
- **October 1**
 - Superintendent uploads ERO into Gateway
- **November 16**
 - Collective Bargaining window closes
 - Bargaining Status Form I must be completed by both parties (in Gateway)
 - Signed and ratified teachers' collective bargaining agreement must be uploaded to Gateway by school employer
- **June 1**
 - 2021 Collective Bargaining Report opens
- **July 30***
 - 2021 Collective Bargaining Report is due

NPD 2020-01

- As defined in 560 IAC 2-1-2(14), "memorandum of understanding" or "MOU" means any agreement ratified by the school employer and the exclusive representative, subsequent to a ratified collective bargaining agreement, that changes or modifies the collective bargaining agreement.
- The Covid-19 public health emergency has resulted in the need for parties to immediately address issues of compensation related to virtual instruction and other additional duties, as well as fringe benefits. Because the ongoing public health emergency could not have been anticipated by parties during the 2019 bargaining period, the status quo terms in effect prior to 2020 bargaining do not provide the flexibility needed to address these urgent issues. The Indiana Education Employment Relations Board (IEERB), recognizes parties' need to bargain an MOU addressing these urgent issues prior to the start of formal bargaining for a new collective bargaining agreement. Such an MOU predates the contract, rather than occurring subsequent to it.
- IEERB will treat all partial ratified agreements regarding teacher salary, wages, and fringe benefits, which are bargained in response to urgent issues created by the ongoing public health emergency, as MOUs, regardless of whether they occur before or after ratification of the applicable CBA. The evaluation of compliance for such MOUs will be contained in the Compliance Report and Recommendation or in a subsequent Addendum.
- This policy was adopted by the IEERB Board at its August 31, 2020, public board meeting. It shall expire on June 30, 2021, at 11:59 p.m., unless otherwise extended by the Board.

CBA COMPLIANCE

- 187 Compliance Reports issued on May 29, 2020, for all 2019-20 CBAs
- Top issues of noncompliance in 2019-20 CBAs:
 - Bargaining Unit Description
 - Non-Bargainable Subjects
 - Increases not in Compensation Plan
 - Increases not Attributed to a Factor
 - 50% Cap on Education & Experience Increases
 - Redistribution Plan
- 13 appeals
 - Bargaining for non-unit members
 - Redistribution
 - 50% education + experience cap violations
- RUBRIC and CHECKLIST available now on the [Compliance](#) webpage
- 2019-2021 and 2020-2021 Compliance Reports and Recommendations will be issued by May 30, 2021

SCHOOL YEAR 2019-2020

of schools with 50% or less union members = 77/304

% of teachers who belong to the union = 61.85

of parties at impasse = 14

average cost of mediation = \$1,173.34

of compliant contracts = 89

of prior approvals = 3

COLLECTIVE BARGAINING REPORT

Statewide (SW) and individual corporation data are available on Gateway Report Builder

Data available in the Indiana Teacher Compensation Report

SW min salary = \$32,000

SW ave salary = \$53,463

SW max salary = \$95,188

of teachers below the 18-19 ave (\$52,737) = 34,128

of teachers above the 18-19 ave (\$52,737) = 28,257

of corps providing base increases = 299

of corps providing stipends = 150

ave years of experience = 13

of teachers retired at end of 18-19 = 1,464

of 1st year new to teaching hires = 3,175

of teachers hired with previous teaching experience = 3,887

DEFICIT FINANCING

- IC 20-29-2-6
- IC 20-29-6-3

DEFICIT FINANCING (CONT.)

- New for 2020
 - Pandemic Funding
 - HEA 1113
 - HEA 1002
 - Simplified IEERB Calculator

CALCULATOR

Operation	Description	Timeframe	Amount
Start with	Education fund revenue	7-1-20 to 6-30-21	\$50,000,000.00
Add	Operating referendum revenue	7-1-20 to 6-30-21	\$2,000,000.00
Add	School safety referendum revenue	7-1-20 to 6-30-21	\$0.00
Add	Transfers from Operations fund	7-1-20 to 6-30-21	\$500,000.00
Sum	Total revenue for statutorial deficit financing	7-1-20 to 6-30-21	\$52,500,000.00
Subtract	Education fund expenses	7-1-20 to 6-30-21	\$49,000,000.00
Equals	Must be greater than or equal to zero	7-1-20 to 6-30-21	\$3,500,000.00

PRE-IMPASSE SERVICE

- Prior to the declaration of impasse
- Consultants have extensive backgrounds in school funding and collective bargaining
- Objective third party to assess the financial situation and provide ideas for a solution

EMPLOYER BARGAINING REVENUE & EXPENSE DISCLOSURES

Description	Timeframe	Number	Exhibit No.
Education fund revenue	FY 2021		
Operating referendum tax levy revenue	FY 2021		
School Safety tax levy revenue	FY 2021		
Total Estimated FY 2021 bargaining revenue	FY 2021		
Total Estimated bargained teacher expenses under a status quo CBA	FY 2021		
Total Estimated non-bargained teacher expenses	FY 2021		
Total Budgeted Education non-teacher expenses	FY 2021		
Total Budgeted Operating Referendum non-teacher expenses	FY 2021		
Total Budgeted School Safety Referendum non-teacher expenses	FY 2021		

LAST BEST OFFER

- LBO Overview
- Narrative
- Exhibits

SUMMARY TIMELINE – FINANCIAL ASPECTS

- Parties hold public meeting to take testimony about collective bargaining
- Parties gather financial information and bargain starting September 15
- Impasse is declared on November 15
- Within 14 days Employer sends BRED to IEERB and Exclusive Rep
- After 30 days of mediation each party submits LBO
- Factfinder investigates and makes decision on which LBO to accept

SOCIALLY DISTANCED BARGAINING

- Who has a plan??????

