

# THE NAVIGATOR

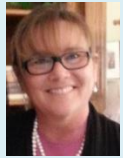
March 31, 2015

Happy Birthday Cesar Chavez

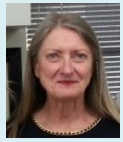
## NEWPORT-MESA FEDERATION OF TEACHERS

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## SPECIAL EDITION: NEGOTIATIONS UPDATE #2

### *So, Tell Me about Negotiations*

By Jaymi Ropp

This time of year, I'm not asked how I am, or how my class is doing. I get a quick smile and then I am asked, "So, tell me about negotiations..." This story is an attempt to tell you about negotiations from my perspective. It is my story about what I know now and what I wanted to know before I was so involved with this process known as Negotiations. My primary sources are my knowledge to-date, information from Kimberly Claytor and Nicholas Dix, my family's experiences with union work, and a few websites that clarified some things for me over the past couple of years. I hope this proves helpful! Here we go...

The primary activity of our union is to represent N-MFT members in negotiating the terms of our agreement with the District (aka our contract) and defending the resulting agreement. The negotiating process is called collective bargaining. We know it in NMUSD as, "negotiations".

According to Government Code §3543, the school board and the union must meet at least once every three years. Negotiations can determine salaries and benefits, hours, calendar, and most aspects of our working conditions. There is also an attempt to solve problems and address new issues. Also, when Legislature passes new laws, the district can implement these laws only after the impact has been bargained.

The schedule for negotiations is jointly planned, and usually lasts for a few months. This year, we are off to a very slow start. We submitted dates, but didn't get confirmation from the district until recently. Negotiations may be private - ours are private. However, the "sunshine" process requires that both N-MFT and NMUSD proposals be presented for public comment at a publicized school board meeting. Our current contract allows for two (2) 'openers', which means we can reopen two Articles of our contract prior to the 2017 expiration date. The district has two (2) reopeners, and we both get to reopen Salaries and Benefits. This means we could be negotiating six (6) Articles of our current contract. The outcome of this process is hopefully a signed contract that is binding on both the school board and the union. It applies to all of us! ALL OF US!

With all this being said, some items are simply 'non-negotiable' because of Ed Code (this is the Education and Government codes). They are mandated by the Legislature and are legally required.

I come from a family that has a multitude of perspectives of unions, but we all believe in the negotiating process. We often discuss different processes of negotiations, and at some point, I learned that when all attempts of negotiations aren't working or when serious disagreements arise (and they have in NMUSD!), the Legislature created a state-level adjudicating body and spelled out the steps for resolving disputes. The five-member Public Employment Relations Board (PERB) is responsible for interpreting collective bargaining issues—handling questions, appointing fact finders, and maintaining a public file of all signed agreements for public schools and other public agencies. PERB rulings are final unless court review is warranted. (Continued on page 2.)

### UPCOMING NEGOTIATIONS SESSIONS:

March 31, 2015	8:30am-3:00pm
April 17, 2015	8:30am-3:00pm
April 24, 2015	8:30am-3:00pm
April 30, 2015	8:30am-3:00pm
May 8, 2015	8:30am-3:00pm
June 3, 2015	8:30am-3:00pm
June 10, 2015	8:30am-3:00pm

**Question:** After agreeing on a price with a general contractor for an addition on your house, you decide you need another window in the room. Do you expect your contractor to do the extra work for a pat-on-the-back or do you expect to negotiate a fair rate of pay for the additional work?

## Site Rep/General Membership Meeting:

**April 28, 2015: 3:30-5pm @ NHHS, Library Room**

**So, Tell Me...** (Continued from page 1.)

PERB has become a powerful quasi-judicial body in the politics of education.

As a union, we don't just go straight to PERB for resolution. There are typically 3 steps that are taken before we get 'legal' judgment. These things are progressive (I looked them up for the proper language).

1. **Unfair labor practice.** This is a complaint, from either party or an individual teacher, that the collective bargaining laws are not being followed.

2. **Impasse/mediator/fact finding.** This situation occurs when negotiations break down completely. Often a mediator is appointed first but, failing resolution at that stage, the dispute can be advanced to fact-finding.

3. **Work-to-rule/strike.** Pressure tactics are common in confrontational bargaining. Teachers can decide to strictly follow the working hours and only perform duties in the contract (called "work to rule"), and we can engage in informational picketing before the School Board and the public. The last resort is a strike, which the California Supreme Court has ruled permissible unless public health or safety is threatened. Teacher unions in California have rarely called strikes.

Another question I am asked is, "what happens at the table?" I will explain what it can be like, but honestly, from session to session, it changes. This year there are 9 N-MFT members on the negotiating team. We represent our bargaining unit (you). Nicholas Dix is the Chief Negotiator, and Kimberly Claytor, N-MFT president, are also at the table. We exchange documents and explain the premise of each proposal. We go back-and-forth with questions and clarifications about the proposal. We ask about the fiscal impact, member impact, and more. We essentially dissect their proposals, and they do the same to ours. Both sides interpret the back-and-forth discussions, stories, and explanations differently.

I know many of you want to know exactly what proposals cross back-and-forth at the table, and possibly more details, but it would be neglectful on our part to present to our members a proposal that has not been fully dissected and the impact researched. It is the negotiating team's responsibility to recommend a contract for ratification (your vote). We try to share as many details as we can, keeping within the communication ground rules we have set. We will be surveying our members regularly through this process, so the basis of considerations and decisions will benefit our members, not negatively impact any.

So, this back-and-forth goes on all day. We take caucuses, which are like football huddles. We vent, share, problem solve, and come up with counter proposals during these sidebars. I will be honest; it is frustrating and it is tedious. It is a long process that I originally thought should not be taking so long! However, when we rush this process, we can end up with bad language in our contract, which is almost impossible to correct once the district decides they like it. Ah, it can't be that bad you say... but it can. I had a rude awakening. I thought it should be so simple, so easy to just ask for what we think is right. It isn't that simple. The district isn't so willing to just give us what we want. They are as focused as we are about what we think is right for kids. But the reality is, we are not negotiating a salary for kids, we are not negotiating benefits for kids, we are negotiating OUR salary, OUR benefits, OUR equality, OUR work environment... we are negotiating OUR contract.



Jaymi Ropp is the elected Secretary for N-MFT, member of the N-MFT Negotiations Team, and a teacher at California Elementary School.

**What happened during negotiations on March 30, 2015?**

Our second day of negotiations took place on March 30, 2015. The following was discussed:

- Instructional Minutes K-12
- The district's proposal of standardizing K-6 instructional minutes
- Kurt Suhr addressed district-wide K-6 Instructional minutes
- Steve McLaughlin addressed district-wide 7-12 Instructional minutes
- We reviewed the secondary training schedule
- Discussed the impact of a secondary 8 period Block Schedule
- Raised questions related to the 8 period block schedule- specifically I.B., zero periods, and athletic periods.
- Questions were raised about secondary class size waivers
- Discussion regarding secondary 6/5 and 7/6 contracts

To date, the Joint Benefits Team (JBT) has not made a recommendation, therefore benefits was not discussed.

**QUESTION: What is YOUR WORK WORTH? When asked to take on extra work that you were not hired to perform, do you agree to do it for:**

**A: a-pat-on-the-back?**

**B: the kids?**

**C: professional compensation in the form of appropriate payment?**