

FROM THE TABLE

July 7, 2012

“I was seldom able to see an opportunity until it had ceased to be one.”

-Mark Twain

The above quote by Mark Twain seems to sum up the MBUSD Administration's attitude toward negotiations. Seemingly squandering an opportunity to advance morale among staff and continue to improve student achievement, the MBUSD Administration used bullying, threats and, ultimately, an apparently pre-planned move to impasse to begin the process of trying to impose a settlement on our members.

At the end of the school year, we were notified by Assistant Superintendent Rick Bagley of the Administration's demand that negotiations continue during the summer though we had informed the District of our intention to NOT negotiate in the summer at the first session, consistent with ALL past practice. Citing a decision made by PERB over a quarter century ago mandating summer negotiations, the Administration seemed to imply a threat to charge MBUTA with “bargaining in bad faith” unless we agreed to meet. Facing what appeared to be threats, we decided to take the unprecedented step of agreeing to meet in the afternoon of Friday, July 6th and we prepared a serious response to the Administration's last “comprehensive” proposal.

We offered two proposals that differed primarily in the length of the agreement. The key components of our first option included a three year agreement, planning time for all K-5 instructors, maintenance of the 80/20 split on benefits and a 10% salary adjustment spaced over those three years. The second option included all of the preceding proposals, but proposed a one year agreement with a 9% salary adjustment. We agreed to retain current contractual language in areas we had previously asked for changes and agreed to continue to discuss MBUSD's desire for evaluation changes once we received all supporting documents referenced in their proposal. In short, it was a serious offer that showed significant movement on our part in a number of areas, signaling a desire to come to an agreement. Ours was a proposal that would have begun to right the financial ship of our members while ensuring the continuing financial health of the District.

After caucusing for an hour, the District came back with a response that showed contempt for our teachers and a lack of serious intent to bargain. They **IGNORED** our proposal to build planning time into the day of our K-5 members. They stuck to their **DANGEROUS ALTERATION** of the 80/20 split in benefits. The only movement they made from previous proposals was to change the two proposed mandatory work days into one voluntary day and apply ½ of 1% to the 2% bonus previously offered. Again, they offered no new money on the salary schedule, arguing that they don't have the money (they are sitting on 43% unrestricted reserves, by their own December 2011 accounting, among the largest in the State and built up to that level by denying you a raise for five years) and that financial uncertainties preclude them from providing ANY on-the-schedule adjustment.

MBUTA caucused for 15 minutes and verbally proposed that the teachers and District jointly develop triggering mechanisms that could help lessen or remove any perceived financial risk. It was summarily rejected by the Administration. When our budgetary analysis was challenged by Deputy Superintendent Bagley, we offered to stay into the night to hear their rationale for their budget analysis. This was rejected, though previously Mr. Bagley had said they were prepared to meet until 9:00 pm. We offered to meet in additional negotiating sessions on any Saturday or Sunday in July in order to make serious and substantive proposals and progress. This was rejected out of hand. We asked them to reconcile their claim of imminent fiscal doom with their new spending on I-Pads, associated infrastructure, upkeep, substantially larger appropriations for books and supplies, and outrageous raises for top level administrators. They were non-responsive. Instead, they declared their offer to be their “LAST, BEST and FINAL.” They invited us to jointly declare impasse, beginning a process that could allow them to unilaterally IMPOSE this offer on our members. Needless to say, we rejected that invitation.

We came into this session with a proposal showing substantial movement. We agreed to THEIR request for a three year deal. We agreed to drop our proposed language in three separate articles of the Contract. We altered our salary proposal to spread out any adjustment over 3 years. We agreed to continue to talk about alterations in the evaluation process, despite the fact it is a low priority for our members. There has been NO COMPARABLE MOVEMENT ON ANY ISSUE ON THEIR PART. We continue to believe that a mutually acceptable agreement NEGOTIATED AT THE TABLE is possible. They, now, have shown their hand. They would rather IMPOSE their proposals on us rather than come to a NEGOTIATED agreement. They think they are in the driver’s seat. They doubt our commitment to ourselves and our families. They believe we are blind to their inconsistent claims of poverty while spending millions of dollars in new money on gadgets and administrators’ salaries all the while sitting on some of the largest reserves in California. They don’t believe in our power as a UNION. If an agreement is to be reached, each one of us will need to show that we are committed, informed, and powerful. Though opportunity may be slipping from their hands, let’s not let it slip from ours!