

STATE OF FLORIDA
PUBLIC EMPLOYEES RELATION COMMISSION

SCHOOL DISTRICT OF MANATEE COUNTY,

Petitioner.

v.

Case No. SM 2016 027

MANATEE EDUCATION ASSOCIATION,
FEA, AFT, LOCAL 3821, AFLCIO

Respondent

RESPONDENT'S BACKGROUND INFORMATION SUBMISSION

COME NOW, the Respondent, Manatee Education Association, FEA, AFT, Local 3821, AFL-CIO, by and through the undersigned representative, and hereby submit the following background information in accordance with the order of the Special Magistrate:

1. **Length of collective bargaining relationship and description of appropriate bargaining unit as defined by a PERC certification and/or in the CBA recognition clause:**

The first contract year between the parties was 1969. The Contract provision describing the bargaining unit is as follows:

ARTICLE III RECOGNITION

Section 2 – Appropriate Unit

The Association shall represent all regular certificated full-time teachers of said School Board in any of the following identified positions regardless of source of funding: classroom teachers, including art teachers, music teachers, librarians and physical education teachers; speech teachers, teachers of educable mentally retarded, teachers of trainable mentally retarded, teachers of learning disabilities, teachers of varying exceptionalities, teachers of the emotionally disturbed, teachers of the gifted, teachers of the homebound, teachers of the visually handicapped, and teachers of the socially maladjusted; Chapter I teachers, early intervention teachers, ESOL teachers; student support specialist, testing administrators, guidance counselors, occupational specialists; teachers who are grade level chairmen; teachers who are department heads and primary specialists or instructors assigned to the ROTC or Cadet program. The appropriate unit is limited to employees in any of the above positions and shall EXCLUDE the following

positions: principals, assistant principals, administrative assistants, curriculum specialists, deans, teacher assistants, short-term substitutes, non-instructional, non-certificated positions and all county office administrative positions including Superintendent, Assistant Superintendents, directors, coordinators, supervisors, managers, specialists and psychologists.

2. **Number of CBAs to date with Union.** The parties have a long history of negotiating as far back as 1969 encompassing approximately fifteen three year collective bargaining agreements. Typically, over the years the agreements were for three year durations with annual re-openers on compensation a limited number of other issues.

3. **Current CBA expiration date.** June 30, 2016.

4. **Date negotiations started for new contract.** June 20, 2016.

5. **Date impasse declared and which party did so.** The Manatee County School Board declared impasse in negotiations on November 8, 2016.

6. **Date impasse declared in writing to other party.** November 14, 2016.

7. **Date PERC notified in writing of impasse.** November 14, 2016

8. **Issues at impasse identified in writing, if any, in #6 (if not previously provided to SM per 10 day PERC rule).** Issues at impasse were submitted separately by each party under separate cover. The School District of Manatee County submitted the issues at impasse to the Special Magistrate on December 22, 2016. The Manatee Education Association submitted the issues at impasse to the Special Magistrate on December 16, 2016.

9. **Issues identified at last meeting as causing impasse (if not previously provided to SM per 10 day PERC rule).** Issues identified at last meeting resulting in impasse include Compensation and Health Insurance. Specific issues were submitted separately by each party under separate cover.

10. **Number of bargaining sessions before impasse.** Between June 20, 2016 and October 3, 2016 there were nine (9) bargaining sessions. The parties reached a Tentative Agreement (TA) on

October 3, 2016. However, that Tentative Agreement was not ratified by the bargaining unit employees and the parties returned to negotiations on November 8, 2016. Impasse occurred during the November 8, 2016 negotiations. The Petitioner notified PERC and the Respondent of the impasse in writing on November 14, 2016.

11. Date or dates of prior PERC impasse proceedings, if any, and Recommended Decision or Decisions.

<u>Proceeding Dates</u>	<u>Decision (Docketed by PERC)</u>
12/18/2006	01/17/2007 (Case no. SM 2006 035)
07/01/2008	07/14/2008 (Case no. SM 2008 024)
03/24-25/2011	04/28/2011 (Case no. SM 2011 006)
12/11/2011	01/12/2012 (Case no. SM 2011 096)

12. Number of employees in bargaining unit at time of impasse. The Teacher Bargaining Unit included 2820 employees at the time of impasse.

13. Other CBAs of employer and size of unit or units. Paraprofessional bargaining unit includes 745 employees represented by the Manatee Education Association, The American Federation of State, County and Municipal Employees (AFSCME) represents 1029 employees.

14. Total number employees of employer. Approximately 5800 employees

15. Population of municipality or county. 363,369 (Manatee County)¹

16. Names and population of adjacent counties or surrounding municipalities.

<u>COUNTY</u>	<u>POPULATION¹</u>	<u>UFTE STUDENTS²</u>
Sarasota County	405,549	42,440.92.
Pinellas County	949,847	100,977.13
Hardee County	27,502	5,273.22
Hillsborough County	1,349,050	211,031.86
Polk County	650,092	99,873.08
DeSoto County	35,458	4,925.08

¹ All County population data herein are population estimates for July 1, 2015 taken from the United States Census Bureau website at www.census.gov.

² All Unweighted Full Time Equivalent (UFTE) Student data herein are taken from the Florida Education Finance Program (FEFP) Third Calculation dated December 5, 2016.

17. **Names of comparable sized Counties or Cities in State of Florida and their population.**

<u>COUNTY</u>	<u>POPULATION¹</u>	<u>UFTE STUDENTS²</u>
Manatee County	363,369	48,337.82
Sarasota County	405,549	42,440.92.
Lake County	328,875	41,709.06
Marion County	343,204	42,640.23
Collier County	357,305	45,881.21
Escambia County	311,003	39,893.55
St. Lucie County	298,563	39,400.71

18. **Anticipated number of witnesses for each party and length of hearing.** The Manatee Education Association will potentially have five (5) witnesses, and it is anticipated that the total presentation time will be less than four (4) hours.

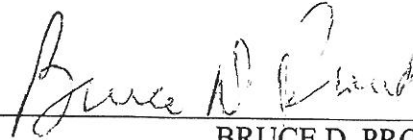
WHEREFORE the Respondent submits this background information as of January 11, 2017.



BRUCE D. PROUD

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Representatives for Respondent

I hereby certify that a true and correct copy of this document has been simultaneously sent electronically on January 11, 2017, to the Special Magistrate Robert B. Hoffman at arbitratorhoffman@mac.com and Mitchell Teitelbaum, Esquire, at teitelbaumm@manateeschools.net as Representative for the Petitioner, Manatee County School District.



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