

BEFORE THE FLORIDA PUBLIC EMPLOYEE RELATIONS COMMISSION
(Special Magistrate Robert Hoffman)

In the matter of impasse between:

SCHOOL DISTRICT OF MANATEE
COUNTY FLORIDA,

Case No.: SM-2016-27

Petitioner/Employer,

-and-

MANATEE EDUCATION ASSOCIATION,
FEA, AFT, LOCAL 3821, AFL-CIO,

Respondent/Employee Organization,

SCHOOL DISTRICT OF MANATEE COUNTY FLORIDA'S
STIPULATION

Petitioner/Employer the School District of Manatee County Florida, by and through their attorney and representative, hereby submits the following Stipulation for the impasse hearing in accordance with the Florida Public Employee Relations Commission's requirements and 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 in 1969 and has continued to the present date for Teachers and Paraprofessionals. Contractual provisions describing the respective units are as follows:

FROM THE TEACHER UNIT CBA:

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:** There are 25 to 30 CBAs to date with the Union.
3. **Current CBA expiration date:** The current CBA expiration date is 2016.
4. **Date negotiations started for new contract:** June 20, 2016.
5. **Date impasse declared and which party did so:** 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):** The issues were identified in writing on December 22, 2016 and a copy is attached hereto as Exhibit "A".
9. **Issues identified at last meeting as causing impasse (if not previously provided to SM per 10 day PERC rule):** Impasse was declared after the teachers' union failed to ratify the tentative agreement. Issues causing impasse included the amount of money provided for salary enhancement and amount of Board's share of funding for insurance.
10. **Number of bargaining sessions before impasse:** seven (7) bargaining sessions. Upon agreement by both parties, negotiations have continued following declaration of impasse.
11. **Date or dates of prior PERC impasse proceedings, if any, and Recommended Decision or Decisions:** On July 1, 2008; March 24-25, 2011; and December 7, 2011, the District and MEA had Impasse Hearings. The Reports and Recommendations of the Special Magistrates are attached hereto respectively as Exhibits "B," "C," and "D."
12. **Number of employees in bargaining unit at time of impasse:** There were 2,851 employees in the bargaining unit at the time of impasse.
13. **Other CBAs of employer and size of unit or units:** There are approximately 697 members in the Paraprofessionals' CBA and approximately 976 members in the American Federation of State, County and Municipal Employee's CBA as of January 6, 2017.

14. **Total number employees of employer:** The School District of Manatee County has approximately 6,658 full time, part time and temporary employees. [5,508 represents full time active.]
15. **Population of municipality or county:** 357,591 (Manatee County)¹
16. **Names and population of adjacent counties or surrounding municipalities:**

<u>COUNTY</u>	<u>POPULATION</u>
Hillsborough County	1,352,797
Pinellas County	954,569
Pasco County	495,868
Sarasota County	399,538

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


<u>COUNTY</u>	<u>POPULATION</u>
Marion County	345,749
Lake County	323,985
Collier	350,202
Seminole	449,124
Sarasota	379,448

18. **Anticipated number of witnesses for each party and length of hearing:**

It is anticipated that the hearing will be a full day. The School District will call two expert witnesses and the testimony of two or more employees.

Petitioner/Employer the School District of Manatee County Florida hereby submits the list of issues at impasse and reserves their rights to supplement and modify this Stipulation in accordance with the Florida Public Employee Relations Commission's requirements and the order of the Special Magistrate.

Dated: January 11, 2017



Mitchell Teitelbaum, Esq.

School District of Manatee County

Fla. Bar: 74844

215 Manatee Avenue West

Bradenton, Florida 34205

(941)-708-8770 x 2261 (office)

(941)-708-8686(fax)

Teitelbaumm@manateeschools.net

General Counsel for School District of Manatee County

¹ All county populations herein were taken from the 2015 Census.

