

Teton County School District #401  
Minutes of 2014-15 Teacher Negotiations  
District Office  
Friday, May 2, 2014 - 3:30 PM

**I. Open Session**

**Present:** Monte Woolstenhulme, Kimber Lundquist, Becca Ross, Elizabeth Smith, Rachel Bates, Susan Pence, Julie Gottler, and Mary Madsen.

**II. Call to Order**

Mrs. Smith welcomed those in attendance and led the group in the Pledge of Allegiance.

**II. Open Meeting: Proposal for Agreement**

Mrs. Smith read, an agreement is entered into by the Board of Trustees of Teton School District 401 (hereinafter referred to as the Board) and the Teton Education Association (hereinafter referred to as the Association) pursuant to Idaho Code 33-1271 through 1275.

**A. Bargaining Units**

The Board recognizes the Association as the exclusive bargaining representative for negotiations as defined in 33-1271 of the Idaho Code for all professional certified employees in the District, excluding those who spend fifty (50) percent or more of their time in administrative activities.

Monte asked to clarify a bargaining unit; in his policy book it had no mention of fifty percent in the definition of admin. He would prefer to have it as in line with Idaho Code as they can so they are in line with one thing.

The two parties agreed to have supervisor defined as principals, supervisors, and the superintendent as referencing Idaho Code 33-1271.

**B. Procedure**

Mrs. Smith read:

Good Faith Negotiation--the parties agree that their duly designated representatives shall meet and negotiate in good faith with the intent to reach agreement and with such agreement reduced to writing, with respect to terms and conditions of professional employment or any matters affecting such. Each party shall select its own representatives.

Commencement of Negotiations--Negotiations for the Master Contract shall commence within 30 days of a written request by either party.

Negotiation Sessions--Negotiations sessions shall take place in open session at mutually agreeable times and locations.

Negotiation Information--During negotiation, the Board and the Association will present relevant data, exchange points of complete tentative line budget for the next fiscal year as well as

preliminary budget proposals, requirements, and allocations. The Board will also make available to the Association all pertinent public records, data, and other information of the school district for developing intelligent, feasible, and constructive proposals on behalf of teachers, students, and the school system.

Tentative Agreement--tentative agreements shall be signed by the chief negotiator for each party at the session during which agreement is reached.

Ratification of Agreement--When agreement is reached on all items, the entire agreement shall then be made in writing and submitted for approval to the Board and Association.

Approval/disapproval shall be on the total package. When ratified by both parties it shall be signed by both parties by their representatives.

Dispute Resolution--If, after a reasonable period of negotiation over the terms of an agreement, either party declares that a dispute exists concerning unresolved items mediation under the auspices of the Federal Mediation and Conciliation Service shall be utilized to help resolve the dispute. An agreement to arbitrate and the award issued in accordance with such agreement shall be enforceable under the provisions of the Uniform Arbitration Act (Chapter 9, Title 7, Idaho Code).

Following Mrs. Smith reading the Procedural Agreement, the District asked to go into caucus.

Upon returning, Mr. Woolstenhulme and Mrs. Smith discussed the spring calendar date mentioned in the section "Commencement of Negotiations." The District asks that they start between March 15th and May 15th for the timing of budgeting reasons. Both parties were fine with that.

Mr. Woolstenhulme also had a question under the "Dispute Resolution" section. He would like to have this be aligned with Idaho Code 33-1274. This allows parties to choose a mediator who they both agree on. Mr. Woolstenhulme would rather things be handled at this level before going up to the Feds.

The TEA went into caucus. Upon returning, they said they would accept reference of policy 33-1274 but would like the remediation to be done by the Federal Mediation and Conciliation Services because they are unbiased, free, and used throughout Idaho.

The District was excused to go into caucus. Once returning, the District counter offered that they set up two levels. First they refer to Idaho Code 33-1274 to find a mediator agreed upon by both parties, and then go to the Federal Mediation Conciliation Service as a second line of defense.

The TEA asked why the District would rather not use the Federal Mediation Conciliation Service. Mrs. Smith stated they thought they would be good to use because mediators can be expensive and the Federal Mediation Conciliation Service is a free service.

Mr. Woolstenhulme would like to start with their own people first. He would rather not have to specify who exactly they have to use. He would like it to be open.

The TEA went to caucus. They came back and suggested they take the language straight from 33-1274. Both parties agreed.

Regarding "Ratification of Agreement", Monte asked if they should define total package. Both groups decided that total package is defined as all proposals to which both parties have agreed, including all agreed upon provisions.

Mr. Woolstenhulme had one more thing he wanted to clarify. The TEA should present every year that they have bargaining units of 50% each year. Mrs. Smith explained that is in statute 33-1271 referenced in under "Bargaining Units."

### **C. Proposal**

A Procedural Agreement is a provision to define the process by which negotiations shall be conducted pursuant to Idaho Code 33-1271-1275.

This provision is necessary to establish order and consistency in contract negotiations. The Procedural Agreement establishes a structure by which negotiations occur in order for both parties to reach mutual agreement on compensation and working conditions rendering those conditions enforceable by both the Association and School District.

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Teton School District and Teton Education Association have been involved in an ongoing process of problem solving and negotiations, and this model has proven to be highly effective both at the bargaining table and at settling disputes throughout the District. An essential element of this model is the trust of both parties. To this end, Teton School District and Teton Education Association, on behalf of their membership, wish to formalize a relationship between these organizations, as well as District employees.

According to items discussed, Mrs. Smith will update the document and get it together for both parties to sign.

### **D. Future Meetings**

The TEA presented a list of proposals they would like to discuss in future meetings. The topics include: bargaining units, procedural agreement, association rights, grievance procedure, working conditions, leaves, and salaries & benefits. The first two items were discussed tonight.

Meetings were tentatively scheduled at 5:00 p.m. on May 13th, 20th, and June 10th.

The updated Procedural Agreement is below:

## **AGREEMENT**

This Agreement is entered into by the Board of Trustees of Teton School District 401 (hereinafter referred to as the Board) and the Teton Education Association (hereinafter referred to as the Association, pursuant to Idaho Code 33-1271 through 1275.

### **I. BARGAINING UNITS**

The Board recognizes the Association as the exclusive bargaining representative for negotiations as defined in 33-1271 of the Idaho Code for all professional certified employees in the District, excluding superintendent, supervisors, and principals.

### **II. PROCEDURE**

#### **A. Good Faith Negotiation**

The parties agree that their duly designated representatives shall meet and negotiate in good faith with the intent to reach agreement and with such agreement reduced to writing, with respect to terms and conditions of professional employment or any matters affecting such. Each party shall select its own representatives.

#### **B. Commencement of Negotiations**

Negotiations for the Master Contract shall commence within 30 days of a written request by either party in the time period between March 15th and May 15th of each year.

#### **C. Negotiations Sessions**

Negotiations sessions shall take place in open sessions at mutually agreeable times and locations.

#### **D. Negotiation Information**

During negotiation, the Board and the Association will present relevant data, exchange points of view, and make proposals and counterproposals. The Board will provide the Association with a complete tentative line budget for the next fiscal year as well as preliminary budget proposals, requirements, and allocations. The Board will also make available to the Association all pertinent public records, data, and other information of the school district for developing intelligent, feasible, and constructive proposals on behalf of teachers, students, and the school system.

#### **E. Tentative Agreement**

Tentative Agreements shall be signed by the chief negotiator for each party at the session during which agreement is reached.

#### **F. Ratification of Agreement**

When agreement is reached on all items, the entire agreement shall then be made in writing and submitted for approval to the Board and the Association. Approval/disapproval shall be on the total package. Total package is defined as all the proposals to which both parties have agreed.

This includes all previous agreed upon proposals as well as new ones. When ratified by both parties it shall be signed by both parties by their representatives.

#### **G. Dispute Resolution**

As per Idaho Code 33-1274. APPOINTMENT OF MEDIATORS -- COMPENSATION. In the event the parties in negotiations are not able to come to an agreement upon items submitted for negotiations under a negotiations agreement between the parties, one or more mediators may be appointed. The issue or issues in dispute shall be submitted to mediation at the request of either party in an effort to induce the representatives of the board and the local education organization to resolve the conflict. The procedures for appointment of and compensation for the mediators shall be determined by both parties.

No other business, meeting ended 4:45 p.m. Roughly 30 people in attendance.