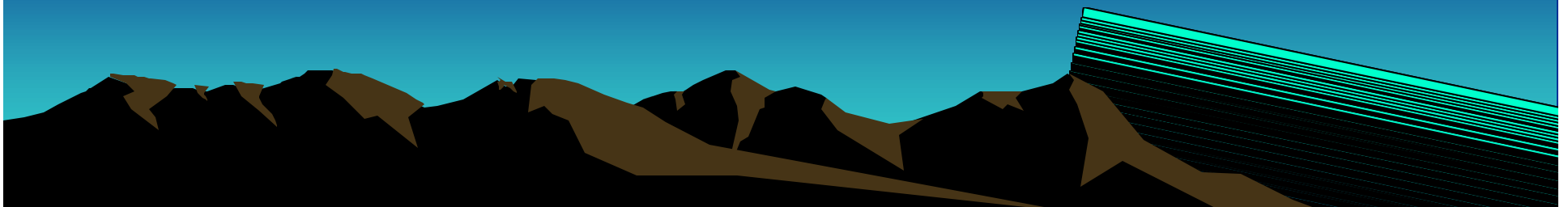


# **Supervisory Union Negotiations**

Presented by:

**Vermont School Boards Association**



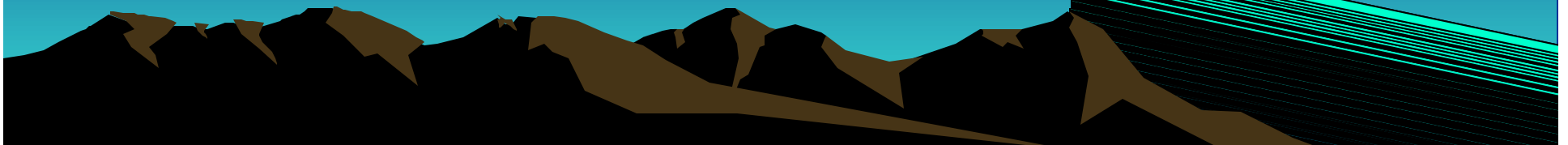
# **Collaborative Bargaining**

**Developed by:**

**Tony Lamb, Esq., Lamb & Desautels**

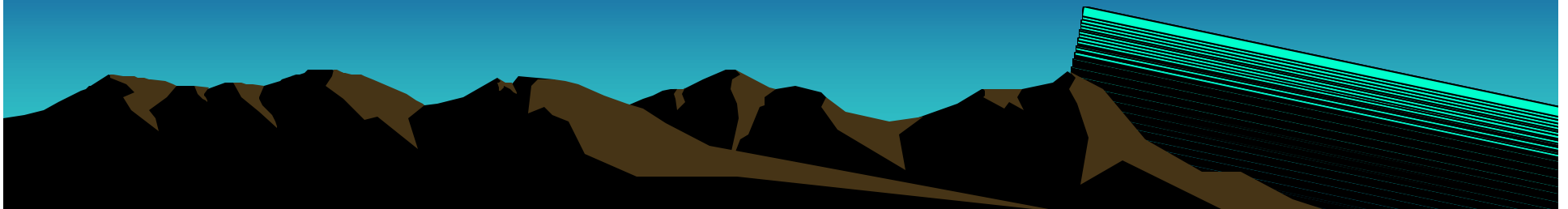
**&**

**Vermont School Boards Associations**



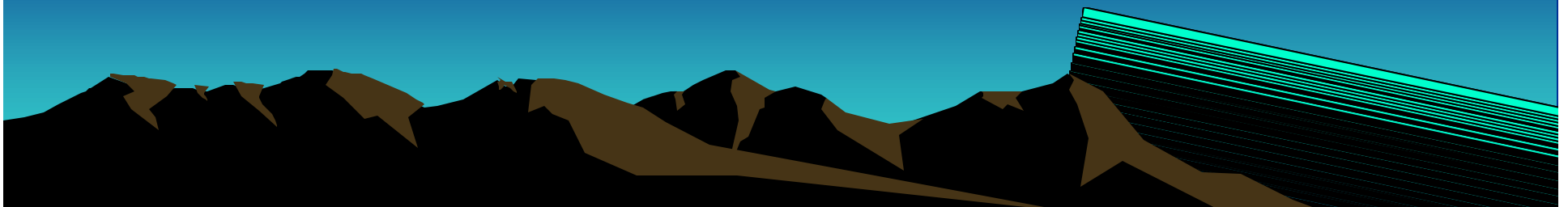
# Agenda

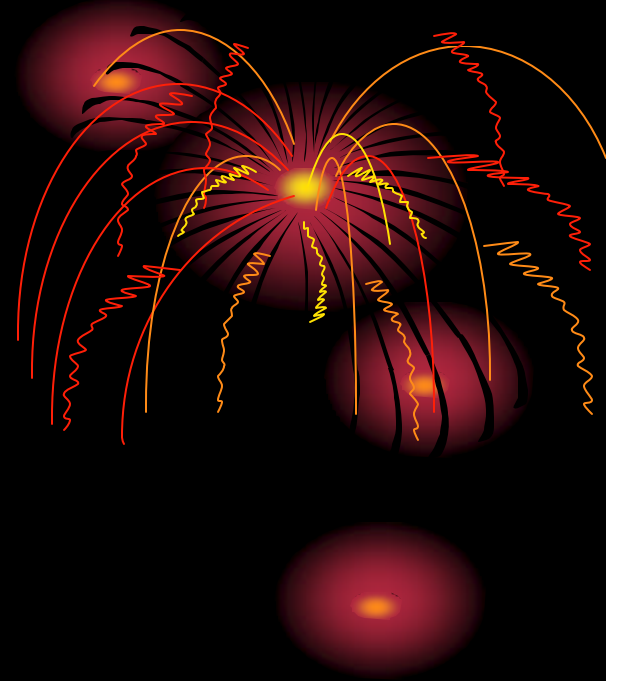
- **Overview of Collaborative Bargaining**
- **Bargaining Issues**
  - Merit Pay
  - Incentive Pay
  - Raising the Base - \$30,000 to Start
  - Early Retirement Incentives



# **Collaborative Bargaining:**

**Mutual problem solving  
of concerns using  
agreed upon standards**





**BEWARE!**

Ira Lobel says:

Collaborative bargaining  
is just regular  
bargaining done well!

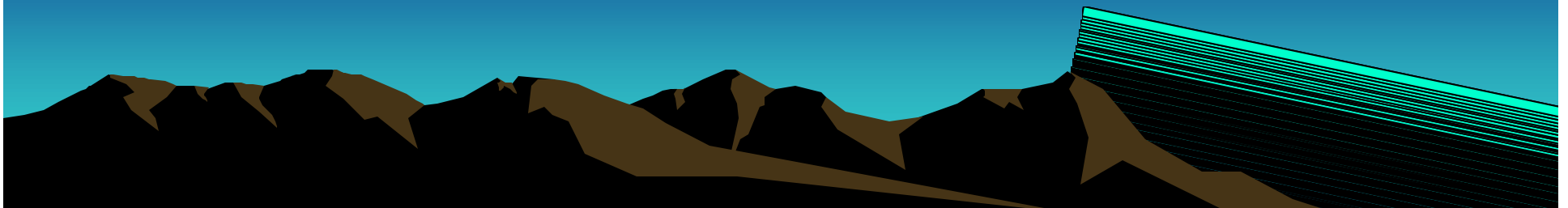
# The Difference

## Collaborative

- **CONCERNS**
  - Problems
  - Issues
  - Abstract goals
  - Goals
  - Needs

## Traditional

- **POSITIONS**
  - Proposals
  - Solutions
  - Detailed
  - Specific
  - Wants



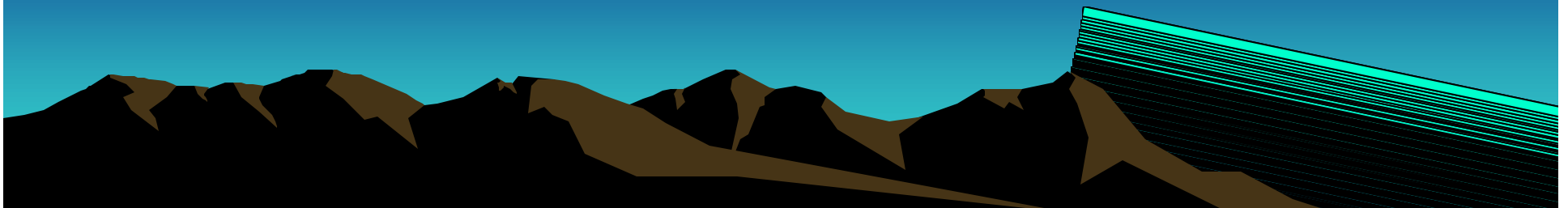
# The Difference

## Collaborative

- **POSITIONS**
  - Proposals
  - Solutions
  - Detailed
  - Specific
  - Wants

## Traditional

- **POSITIONS**
  - Teach block schedule
  - Bus duty
  - Work-7 a.m-4 p.m.
  - Notice April 1
  - Insurance co-pay



# Compare

- **CONCERNS**

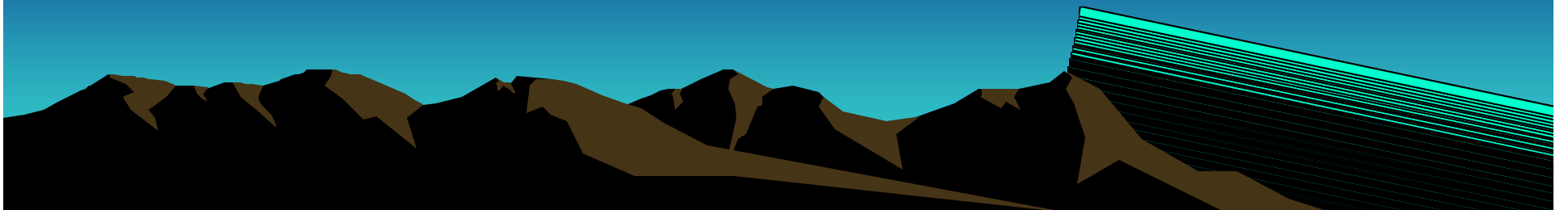
- Course offerings
- Bus safety
- Increase teacher availability
- administrative flexibility
- Manage health care

- **POSITIONS**

- Teach block schedule
- Bus duty
- Work-7 a.m-4 p.m.
- Notice by April 1
- Insurance co-pay

**In short:**

**You cannot  
problem solve  
a solution!**



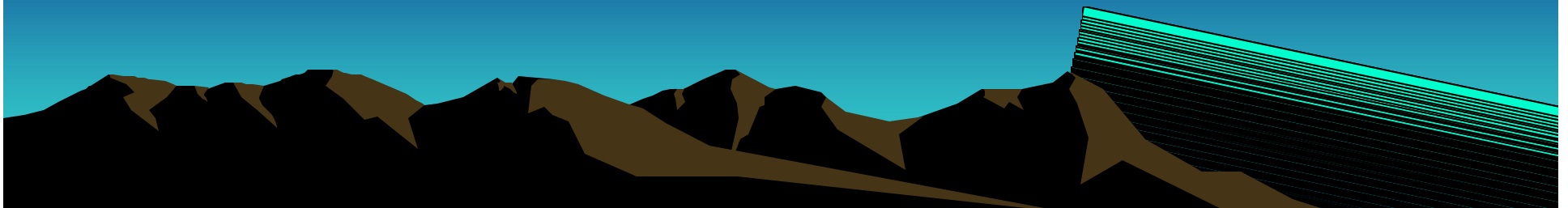
# Both Sides Must:

- Understand the process
- Understand the issues
- Work towards mutual agreement
- Be sensitive to group history
- Be willing to take a risk



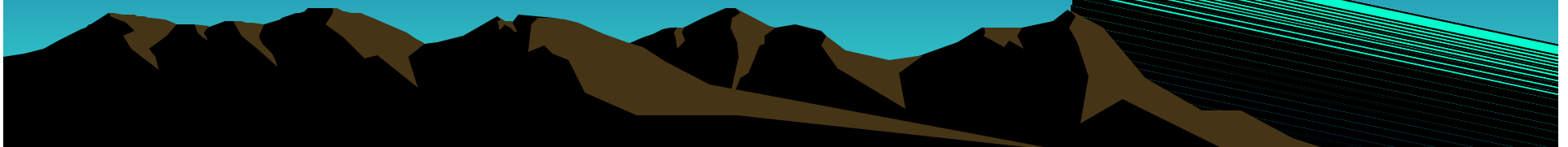
# Training:

- **Builds relationships**
- **Creates common language**
- **Creates common expectations**
- **Builds trust**
- **Develops skills**
  - **brain storming**
  - **problem solving**



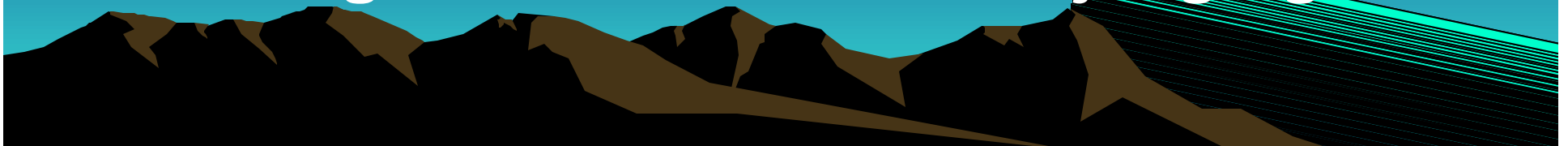
# Training Provided By:

- **FMCS**
  - free - Ira doesn't believe in it
- **Woodstock Institute**
  - has not stuck (clients do not follow up)
- **Conflict specialists**
  - lack of understanding of bargaining legal framework and historical context



# Working Together Means:

- **Researching together**
- **Agreed upon shared data and research**
- **Joint information releases (press and other)**
- **Shared agenda**
- **Willingness to listen before judging**



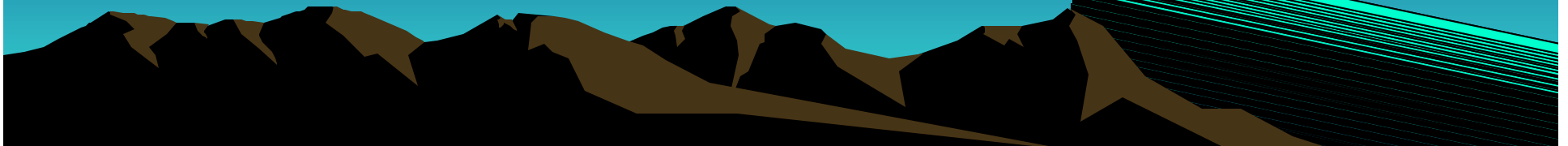
# Why not?

- **History**
- **Sand bagging**
- **Expectations too high**
- **Nice way to be tough**
- **Time consuming**
- **Mutual respect issues**
- **Deep seated conflict**

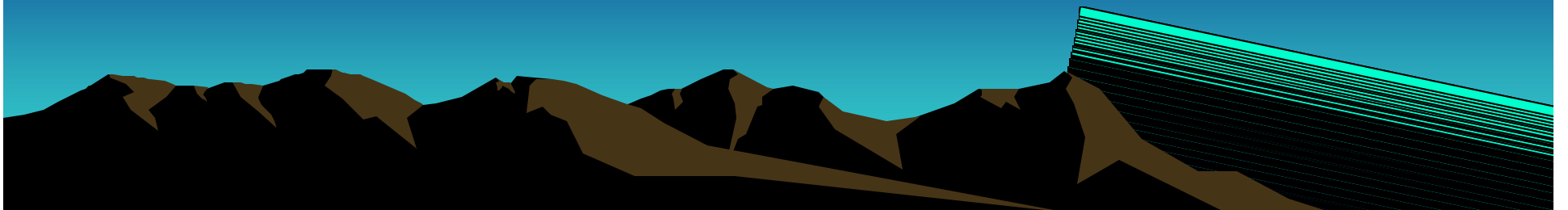


# Issues to Try:

- **Limit meetings**
  - **Number (complete by June 1)**
  - **Frequency-goal:(statute by Town Meeting)**
- **Limit issues**
  - **Number**
  - **When put on the table**
- **Use of joint study committee**



**The only one  
who likes change  
is a wet baby!**



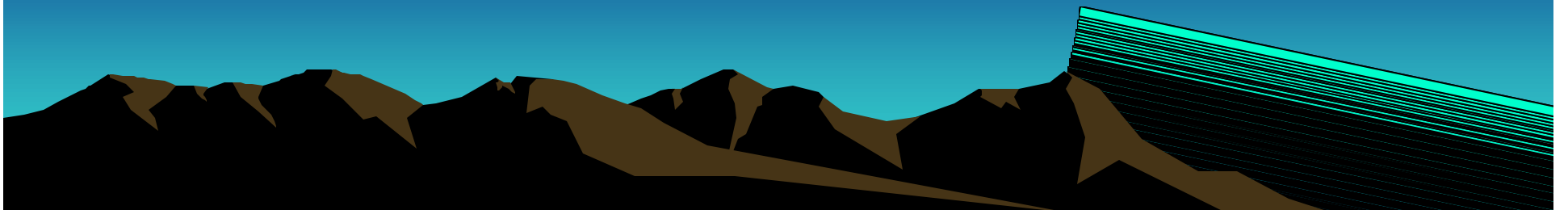
**Is it the right forum  
to create change?**

**Or**

**We negotiate for wages  
and benefits but not  
the provision of  
educational services.**



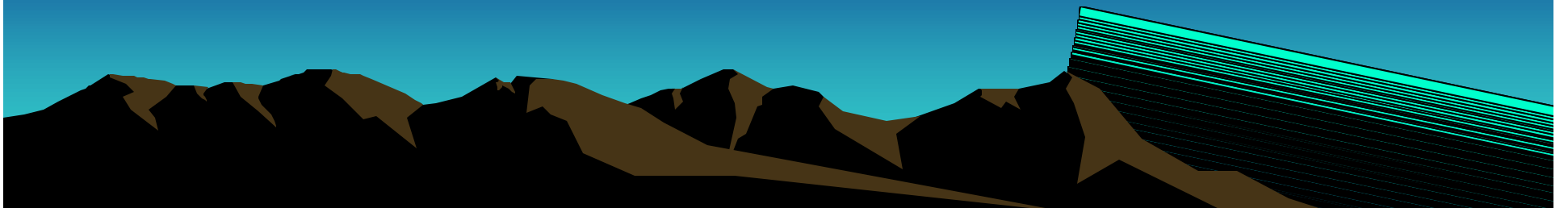
**List those things  
in the contract  
that, if changed,  
would improve  
education.**



**Time distribution**

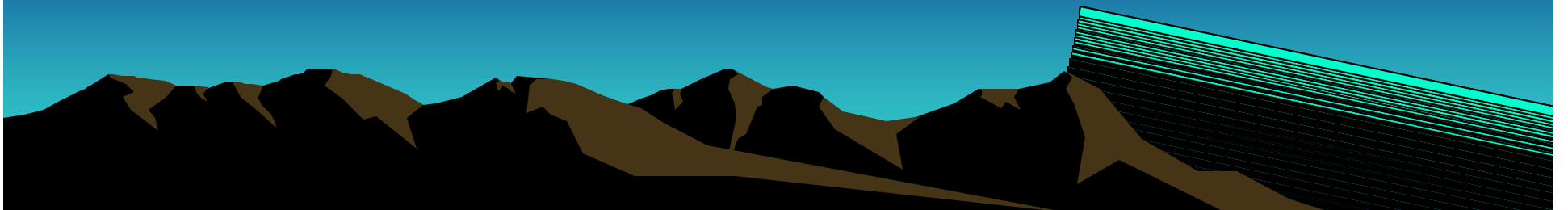
**High school teaching load**

**Evaluation**



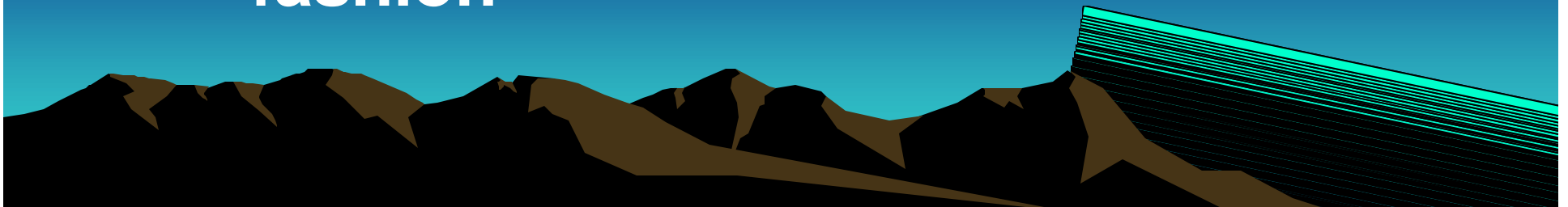
**If you have done enough  
preparation, then change  
will drive the bargaining**

**Bargaining rarely drives  
change**



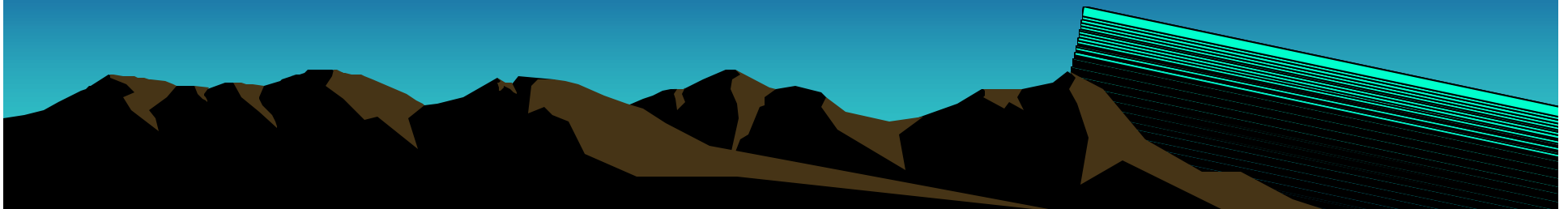
# Merit Pay

- **Many models exist**
- **No agreement on what quality is**
- **“Trigger word” for the union**
- **Inability to administer in consistent fashion**



# Incentive Pay

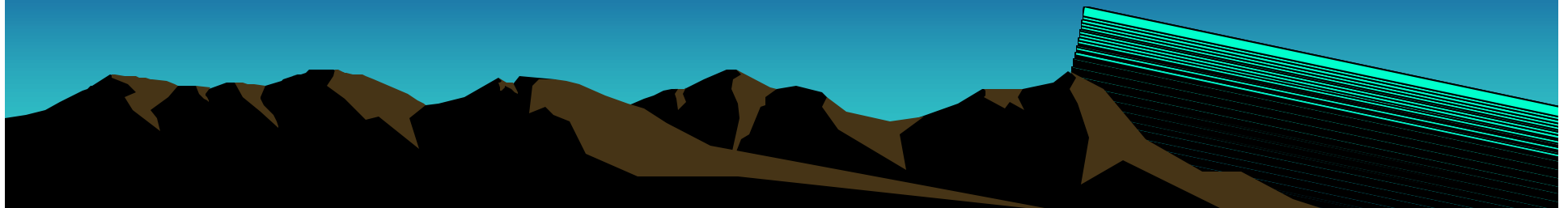
- **Related to specific district goals**
- **Rewards doing what the district believes will improve teaching**
- **Can be simple or complex**



# **Policy Research Resources**

**Center for Policy Research in Education**

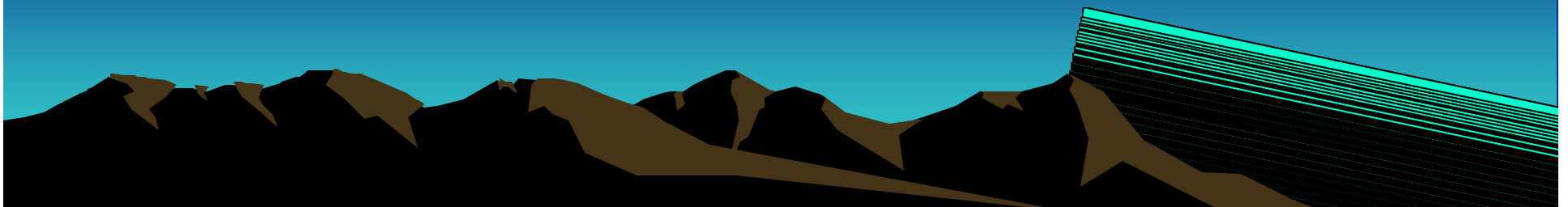
**U.S. Department of Education**



# Example:

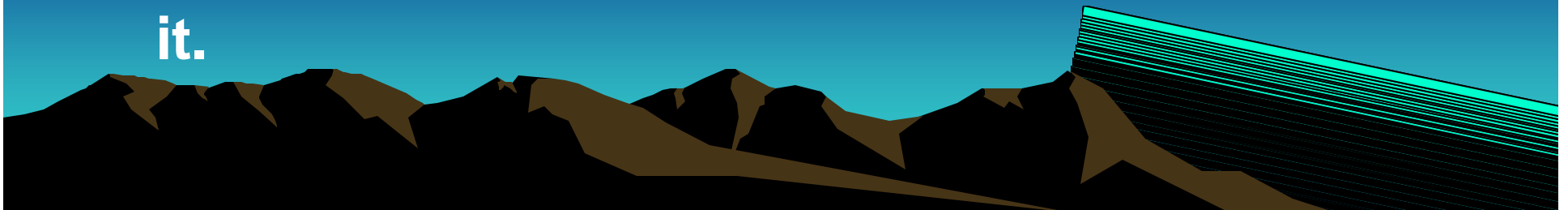
## *Raising the Base*

A \$30,000 starting salary will be  
low in five years.



# Raising the Base

- Steps are not years
- No constitutional right to specific differences in pay
- Everyone is not entitled to the same percentage increase
- If there is no one on a step why do you need it.



# Early Retirement Incentives

- **Make voluntary**
- **Windows are OK**
- **Keep simple**
- **Do not decrease with age**
  - **Bridges are ok but so suspect as to not be worth the savings**
- **Sunsets are beautiful and necessary**



# Other Thoughts:

- ✍️ Look at comparables first  
✍️ share?
- ✍️ What are other solutions
- ✍️ Do your homework

# Carnegie Training Principles

- Dale Carnegie trainers present the following four principles as examples of evolving levels of skill and competence within an organization.
- These principles appropriately apply to the board's skill and experience in managing the negotiations process.



# Carnegie Learning Curve

- Unconscious Incompetence
  - *Don't know what you don't know*
- Conscious incompetence
  - *Suspect but possess few skills to make changes*
- Conscious Competence
  - *Acquiring skills but not efficient yet*
- Unconscious Competence
  - *Possess skills and experience – instinctive*



# Good Practice

- **If the board lacks negotiations skill and experience, then solicit a mentor or hire a professional negotiator to guide the collective bargaining process.**
- **It is not advisable to ask your superintendent to be the point person on your negotiations team, and then expect him/her to be successful in managing the contract once the process ends.**



# VSBA Web Site

- These power point slides are available for down loading.
- Go to the VSBA web site located at:

[www.vtvsba.org](http://www.vtvsba.org)

