

# UTLA BARGAINING

## FLASH

### Reopener Bargaining



On January 12 and January 26, your UTLA Bargaining Team starts reopener bargaining with the District for the 2016-2017 school year. We will be making reopener bargaining proposals around the following goals:

#### ARTICLE XI: TRANSFERS

- Ensure seniority based displacement process by reducing administrator discretion.
- Create new language to prevent reconstitution of staff as part of magnetization process.
- Create new language to ensure formal educator, parent, and student role in magnetization process.

#### ARTICLE XIV: SALARIES

- Increase salaries for all bargaining unit members, effective July 1, 2016.

#### ARTICLE XVIII: CLASS SIZE

- Eliminate Article XVIII, Section 1.5. (see back for more info.)

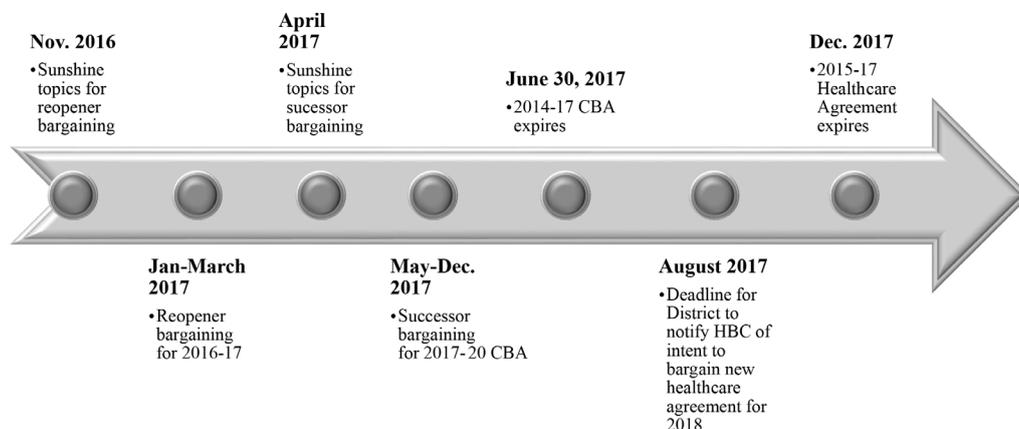
#### ARTICLE XXIV: STUDENT DISCIPLINE, LEGAL SUPPORT AND PROPERTY LOSS

- Create new language to facilitate greater support of Restorative Justice programs and other positive behavior support programs throughout the district.
- Make the provisions of each school safety plan subject to the grievance procedures of the UTLA-LAUSD Agreement.
- Create new language to ensure greater educator, parent, and student input in the creation and implementation of school safety plans.
- Create new language establishing educator/parent/administrator support teams for schools in need of safety and/or student discipline related intervention.

#### ARTICLE XXV: ACADEMIC FREEDOM AND RESPONSIBILITY

- Create new language providing each classroom teacher with complete discretion in determining what, how, and when assessments are used in their classroom, outside of those mandated by state or federal law.
- Create new language ensuring additional adult support during mandated one-on-one assessments.

### UTLA BARGAINING TIMELINE



## What Is Article XVIII, Section 1.5?

**Section 1.5** is a provision in the CBA that allows the district to violate all class size restrictions based on “circumstances such as state funding limitations, teacher shortages, changes in the student integration or other programs, or statutory changes”. Whether such circumstances exist has typically been a unilateral determination made by the district, with little or no notice given to UTLA. Using this language, the district has long ignored class size restrictions in the CBA.

During successor bargaining in 2014-2015, we won improvements to Section 1.5, new class size caps, improved class size averages, and a counselor-student ratio. During reopener bargaining in 2015-2016, we won PE class size

caps and targeted class size reduction in high need schools. The changes to Section 1.5 bargained in 2014-2015 require the district to provide a written notice of intent prior to violating the class size averages and caps in the CBA, a written rationale for doing so, and a written summary of applicable facts. The district is further obligated to meet and discuss any class size violations with UTLA prior to implementation. Separate one year agreements allowing higher class size caps and averages were reached for the 2015-2016 and 2016-2017 school years after the district followed these new contractual requirements.

Despite achieving significant class size wins over the last two bargaining cycles, we must eliminate Section 1.5 from the CBA for any bargaining wins to be fully enforced.

## What is Reopener Bargaining? What is Successor Bargaining?

“Reopener” bargaining occurs within the life of a collective bargaining agreement (CBA), when the parties open an agreed upon number of articles for bargaining. This typically happens on an annual basis, with the number of reopeners for each party expressly stated in the CBA. Reopener bargaining is usually narrow in scope.

“Successor” bargaining occurs when an entire collective bargaining agreement (CBA) expires and each party can open any or all articles for bargaining. This is often referred to as *new contract bargaining* or *full contract bargaining* and it usually starts just prior to or just after expiration of the existing CBA. The current UTLA-LAUSD Collective Bargaining Agreement (CBA) for 2014-2017 expires on June 30, 2017.

In January and February, we’ll be asking chapter chairs to conduct chapter meetings, small group meetings, and one-on-one meetings to survey members about their priorities for successor bargaining. Again, any article in the collective bargaining agreement can be opened as part of successor bargaining, so the data collected by chapter chairs will inform & guide UTLA bargaining priorities. Thus, we’ll be preparing for “successor” bargaining at the same time we’re engaged in “reopener” bargaining.

## Healthcare Bargaining

Bargaining over healthcare for active employees and retirees happens through the LAUSD Health Benefits Committee. This committee, known as the HBC, includes representatives from the district and each of the employee unions in LAUSD. HBC bargaining has typically happened outside of the traditional CBA bargaining process because it involves multiple parties working collaboratively to efficiently purchase healthcare for all eligible active employees and retirees.

The current healthcare agreement was reached in 2015, providing premium-free coverage to active employees, retirees and dependents for 2015- 2017 (our healthcare plans are based on a January-December calendar), with the possibility of a one year extension for 2018. Such an extension will only occur if the District’s premium costs for 2018 increase by no more than 4.5% and the HBC can find costs savings to reduce the unfunded liability of retiree healthcare by 20%.

The District has already asserted that these costs savings will not be achieved, and made a request to the HBC for early bargaining on a new healthcare agreement for 2018. The 2015-2017 healthcare agreement doesn’t require the HBC to start bargaining a new healthcare agreement until August 2017, at which point we’ll have a clearer picture as to whether or not the costs savings have been achieved.

For up-to-date bargaining information, visit our website at [www.utla.net/members/bargaining](http://www.utla.net/members/bargaining)

