



# Board approves individual contracts for teachers; sends mixed signals on intent for collective bargaining contract; cuts dozens of positions

July 25, 2012 —The Jefferson Parish School Board approved an amended motion to offer individual contracts to each of the district’s 3400 teachers, but the discussion that preceded the vote left unclear whether the Board as a whole intends to proceed in good faith toward a collective bargaining contract that would provide teachers with a negotiated and more detailed description of their salaries, benefits, and working conditions.

The Board also adopted a budget that cut 20 itinerant P.E. teachers and accepted a report calling for the elimination of about 20 positions at Cuillier Career Center. (The 30-plus teachers received termination letters July 30.)

The discussion on the individual contracts was marked by two outbursts by Board members. At one point, Mike Delesdernier referred to the teachers in the audience as “the group in the blue shirts.” Soon after, Mark Jacobs implied, without any basis, that teachers might not show up as scheduled on the first day of school; accused the JFT leadership of misleading teachers; and criticized the JFT leadership. More significantly, Jacobs indicated that the individual contracts are the Board’s response to teachers’ concerns, raising questions about pursuing a negotiated contract.

Board members Ray St. Pierre, Etta Licciardi, and Mark Morgan, expressed their support for seeking a collective bargaining agreement unimpaired by the individual contracts. Board member Larry Dale, who proposed the motion for the individual contracts, made a sincere effort to explain his reason for the proposal, saying state law required contracts for non-tenured teachers, and that leaving tenured teachers out might send a message that he did not care about tenured teachers. He said he supports reaching a collective bargaining agreement.

Prior to the meeting, a rally was held in the Bonnabel gym for the teachers and school employees who braved the stormy weather. Half a dozen speakers from the community, including a business owner, a church leader, a student preparing for a teaching career, and the president of another teacher union spoke in solidarity with teachers.

JFT President Meladie Munch told the group that it was only because of teachers’ continuous vigilance and activism over the last year that the district and union were now engaged in negotiations. “It’s because of you we’re here” she told the teachers. She said that good faith negotiations were the only way to fully address teachers’ concerns.

She also said that speculation from outside groups about teachers not reporting to work when school opens was destructive and not part of the union’s plans.

“That doesn’t help any of us, it doesn’t help our students, it doesn’t help our community, and it doesn’t help our school system move forward,” Munch said. “All we’re asking for is a fair contract. We’re not asking for the world. We know that finances are tough, that state laws have changed. We just want a voice and some input,” she said.

She emphasized that the JFT negotiation team could only have success with teachers’ overwhelming support.

She emphasized that the JFT negotiation team could only have success with teachers’ overwhelming support.

## INDIVIDUAL CONTRACTS

During the public comments section of the meeting, when anyone from the public is allowed to speak on agenda items, seven speakers addressed the Board with a range of concerns about the individual contracts. Questions included: whether the guarantee of no salary reduction applied to the base salary or to the entire salary earned last year, including supplements such as National Board certification and coaching payments; school day starting and ending times; the lack of a guarantee for independent third-party arbitration for unresolved disputes; whether employees will have to pay a premium for dental and vision benefits; and whether signing the individual contract would conflict with teachers’ rights under a future collective bargaining contract.

The individual contracts do not answer those questions, and JFT President Meladie Munch advised the Board that these are the types of issues that could be discussed and defined more clearly through negotiations with JFT.

A former teacher told the Board that instead of relieving teachers’ uneasiness, their unilateral development of the individual contract created skepticism. “You’re asking us to put all our trust in the Board. We trust our peers to negotiated for us and work with the administration” for a fair agreement.

Businessman and former JPSB member Terry Verigan, warned of “chaos” if the Board ever had to litigate more than 3000 contracts, rather than one collective bargaining contract.

A parent of a former JPPS student, who said she was attending her first JPSB meeting, said she was “shocked” by what the Board was doing after reading about judges’ rulings against the Board and after comparing the expired collective bargaining contract with the

*The point is that teachers want a contract; that’s what you asked for. Guess what? We have a contract.*

*JPSB President Mark Jacobs, referring to the non-negotiated individual contracts the Board developed*

*In the back of everyone’s mind is that if we sign these contracts, we’re not going to get an agreement with the union.*

*Board Member Ray St. Pierre*

*“I’m not trying to replace the collective bargaining agreement, I just tried to protect what I could ... and I will still push for an agreement.”*

*Board Member Larry Dale, who proposed the individual contracts*

proposed individual contract, which she called "this little contract." She pointed out that some of her neighbors are moving to St. Tammany Parish for the schools, where there is collective bargaining. She summed up by saying the Board's actions were part of "the war on the American middle class."

A recent JPPSS honors graduate who will be attending Nicholls State University to prepare for a teaching career took issue with the Board over its claim that its concern is for the children of the parish, calling out board members and the superintendent for not attending open houses or the Dollars for Scholars awards ceremony, and for serving only "cellophane wrapped muffins" at the district's annual Breakfast of Champions honoring the district's top students.

"Either stop saying everything is for the children or start saying that you truly care about the students of this parish," the student said. "You can start showing you care about the students by listening to your teachers. They are the ones who do attend open house and who are the reasons students succeed."

***St. Pierre asks for Board discussion after hearing comments;  
Morgan and Licciardi move for amendment  
to address concern about conflict with collective bargaining***

Up until the public comments were held, the proposal for individual contracts was scheduled to be voted on without discussion by the Board. But after hearing the litany of concerns, St. Pierre, who said that he had just received a copy of the proposal for individual contracts one day before, said he thought it warranted discussion. Mark Morgan moved, and St. Pierre seconded, a motion for discussion.

During the discussion, Mark Jacobs made a statement that showed he was concerned that teachers would not show up to work when scheduled. Jacobs said "I can't imagine how a child would feel to come to their school on the first day of class and not have a regular face, or teacher, for them to feel safe ... What I'm hearing is a group, represented by the leadership of JFT, trying to prohibit that." That prompted resounding disapproval from the audience.

Jacobs continued: "The point is that teachers want a contract; that's what you asked for. You said 'a contract' then you come in and say 'well, wait a minute, we don't want a contract, we want a collective bargaining agreement.' Guess what? We have a contract," referring to the individual contract drafted by the administration.

Jacobs then said, "The teachers have a great opportunity to sign this contract, **to bargain with their principals**, to get the classrooms ready to accept the children on the first day of school," comments that raised doubt about his commitment to good faith negotiations between the district and JFT.

Etta Licciardi and Mark Morgan moved for an amendment to try to make clear that the individual contracts would not conflict with a collective bargaining contract. Mark Jacobs then moved for the Board to withdraw into executive session, where the Board members and Board lawyers discussed the wording of the amendment, which the Board approved unanimously. The Board then approved the entire individual contract language, which it said it would present to individual teachers when they report to work.

**Next Board Meeting  
Thursday, August 23, 2012  
4:30 p.m.  
Bonnabel High School**

**Individual contract terms as passed by the Board July 25, 2012**

The teacher will faithfully and efficiently perform the duties incumbent upon him/her and will observe and abide by the laws of the State of Louisiana, and rules and regulations of the State Board of Elementary and Secondary Education, State Department of Education, the School Board, the Superintendent of Schools, and the Principal of the school, provided such rules and regulations are within the province of these authorities.

The Jefferson Parish School Board agrees that:

- a) it will not reduce the current salary for the teacher;
  - b) it will maintain the current schedule of benefits for teachers, including group health insurance coverage, dental and vision coverage at the levels of coverage and in the amounts contributed by the system that are in place at the date of the signing of this contract.
  - c) it will pay a minimum of TWENTY-FIVE and no/100 (\$25.00) DOLLARS per hour to attend in-services or professional development workshops, when done outside of the normal work day, payable in the pay period immediately following the in-service and/or professional development session;
  - d) the teacher will receive an uninterrupted thirty (30) minute, duty-free lunch period each full day;
  - e) the teacher will have an uninterrupted planning and preparation time each day equal to the length of a daily class period;
    - 1) The planning and preparation time should be duty free except if unless circumstances clearly make it unfeasible and no other alternatives exist to rectify the problem;
    - 2) The planning and preparation time shall be used judiciously and appropriately and may include collaborative planning, grade level/departmental meetings, professional development and study groups;
  - f) the teacher will be provided class rosters prior to the first student attendance day;
  - g) the teacher will be provided all reasonable and appropriate equipment and materials needed to implement the educational program at schools and/or support the academic development of the teacher's students;
  - h) the teacher will be permitted to prepare his/her classroom prior to the first work day of the school year;
  - i) the teacher will be given advance notice of meetings or other events where his/her attendance is required, (this requirement may be waived by an employee's manager for good cause.)
  - j) the system agrees, to ensure a fair and objective resolution of complaints, that the teacher has the right to appeal the violation of a policy and/or procedure affecting him/her, without fear of restraint, interference, coercion, discrimination or reprisal regarding working conditions or other employment related matters, other than discipline of the employee, including, if necessary, the right to a hearing before the superintendent or his designee, consistent with the complaint and appeal procedure contained in Section GAE, Complaints and Appeals, as well as all other policies set forth in the Jefferson Parish School Board's policy manual and applicable State law;
    - 1) The system acknowledges that the purpose of the procedure is to secure, at the most immediate level possible, an equitable solution to the claim of the aggrieved employee.
    - 2) The employee may have a representative of his choosing at all stages of the appeal process except for the presentation of the initial grievance or complaint to the employee's immediate supervisor.
  - k) the teacher will be afforded all leaves provided for in the policy manual adopted by the Jefferson Parish School Board on July 2, 2012 and as provided by law.
- The superintendent may remove a teacher for any violation of Federal, State and local laws, or the policies, procedures, rules and regulations of the Jefferson Parish School Board in the manner provided by law, whereupon this contract will be deemed terminated.
- Amendment: **Nothing in this contract shall prohibit any subsequent agreement between the parties to this contract affecting the employment of Jefferson Parish Public School System employees.**