

The Indian River County District School Board met on Tuesday, December 4, 2012, at 12:10 p.m. The legislative meeting was held in the Teacher Education Center located at the J.A. Thompson Administrative Center, 1990 25th Street, Vero Beach, Florida. School Board Members attending were: Chairman Carol Johnson, Vice Chairman Claudia Jiménez, and Board Members: Jeff Pegler, Matthew McCain, and Karen Disney-Brombach. Dr. Frances J. Adams, Superintendent of Schools, and School Board Attorney Suzanne D'Agresta were also present.

**District School Board of Indian River County
Legislative Impasse Hearing
School District of Indian River County, Florida, and Communication
Workers of America (CWA)**

Note: Ms. Jiménez was not present.

- I. Called to order by Chairman Johnson
Chairman Johnson stated the time being 12:10 p.m., the date being December 4, 2012. She noted that the Hearing was being audio taped. Chairman Johnson asked Dr. Adams to introduce the parties at her table. Dr. Adams introduced Denise Roberts, Executive Director of Human Resources; Carter Morrison, Assistant Superintendent of Finance and Operations; and Wayne Helsby of Allen Norton & Blue, Chief Negotiator for the School District of Indian River County. Chairman Johnson stated that the time was 12:11 p.m., and that no one was present to represent the Communication Workers of America, Local #3180. Chairman Johnson stated that all Board Members and Board Attorney were present, with the exception of Ms. Jiménez.

Chairman Johnson called upon Mrs. D'Agresta for advice on moving forward with the Hearing. Mrs. D'Agresta stated that the Board did need to move forward with the Impasse Hearing. She stated that on November 15, 2012, a letter was sent by her office by email and regular mail notifying both parties of the date, time, and place; and the deadline for submitting their positions on the issues. Mrs. D'Agresta stated that no communication was received from Communication Workers of America regarding that communication. She further stated that on November 27, 2012, both in the morning and in the afternoon, calls were made to Communication Workers of America and no return phone calls were returned.

Note: Ms. Jiménez was present.

- II. Purpose of the Legislative Hearing – Chairman Johnson
Introduction

Chairman Johnson stated for the record that this was a public hearing conducted by the District School Board of Indian River County, Florida (“School Board”) pursuant to §447.403, Florida Statutes, to resolve an

impasse in negotiations between the Superintendent of the School District of Indian River County, Florida, ("Superintendent") and the Communication Workers of America, Local 3180 ("CWA") involving unresolved issues for the 2010-2011 fiscal year of the 2009-2012 Collective Bargaining Agreement.

Chairman Johnson stated that the Superintendent declared impasse and invoked the statutory impasse procedures set forth in Chapter 447, Florida Statutes. The parties proceeded to a hearing with a Special Magistrate, and the Special Magistrate issued a Report and Recommendation dated October 28, 2012. The Superintendent rejected the Report and Recommendation of the Special Magistrate by Notice dated November 14, 2012, necessitating this public hearing.

Chairman Johnson stated that pursuant to §447.403(4), Florida Statutes, and communication to the parties dated November 15, 2012, the Superintendent had submitted to the School Board her recommendations for settling the impasse issues. CWA had not submitted any written recommendations for settling the impasse issues. This hearing was now required pursuant to §447.403(4)(c), Florida Statutes, in order that each party was afforded the opportunity to explain their positions to the School Board with respect to the impasse issues.

Chairman Johnson stated that this proceeding was open to the public to observe, but it was a labor proceeding with specific statutory requirements. Only the two parties, the Superintendent and CWA, would make presentations to the School Board.

Chairman Johnson stated that each party would be afforded one hour to present their positions on the disputed impasse issues. In order to allow each party to fully make their presentations, School Board Members would hold any questions until the end of each party's presentation. The Superintendent would be called upon first and CWA would be called upon next. Upon the conclusion of the presentations by both parties, the School Board would have an opportunity to ask any questions, deliberate, and then vote on resolution of the impasse issues.

Chairman Johnson clarified that when both presentations were completed, we would take a ten-minute recess, ask our questions, and then deliberate. She said that a decision must be made today. Chairman Johnson noted that Ms. Jiménez was present.

III. Presentation by Superintendent – Dr. Adams

Dr. Adams stated that the Superintendent would be represented by Chief Negotiator, Mr. Helsby. Mr. Helsby reviewed the first 18 slides of the PowerPoint presentation that depicted the history of negotiations with CWA;

background of why they arrived at impasse due to the expiration of the Memorandums of Understanding (MOU's) and the inability to negotiate a new MOU with the CWA. He also presented background on the health insurance plans and how they evolved over the years. Mr. Morrison reviewed some financial information relevant to the insurance program to give the financial reason why the District went to impasse. The Superintendent presented her recommendation to the District School Board, as was listed on page 40 of the PowerPoint as follows:

Superintendent's Recommendation to Resolve Impasse – for CWA Members Only

Proposal presented on 6/26/12

New Proposal to District's Health Insurance

School District of Indian River County's new proposal for CWA Health Insurance retains the original four Health Insurance Plan Designs as presented on October 11, 2011 (see attached Plan Designs). The new cost **per member per pay** is reflected in the chart below.

The Board's contribution remains at \$405.00 per member per month.

Plans	800 Choice	5770 Options	5779 HAS	5774 Options
Employee	\$144.88	\$127.38	\$111.38	\$97.88
Employee/Spouse	\$307.88	\$278.88	\$252.38	\$229.88
Employee/Child(ren)	\$299.88	\$271.38	\$245.38	\$223.38
Family	\$355.88	\$323.88	\$293.88	\$268.88

- IV. Presentation by CWA – Mr. Davis
No one was present.

Before going to break, Chairman Johnson asked Mrs. D'Agresta if she had received any notification or recommendation from the Communication Workers of America (CWA) regarding today's procedures. Mrs. D'Agresta said no. Chairman Johnson stated that the Board would recess for ten minutes to return at 1:10 p.m. to ask questions and to deliberate.

Note: Recessed at 12:58 p.m. Reconvened at 1:10 p.m.

- V. School Board Deliberation – Chairman Johnson
Chairman Johnson called for questions from the Board. Board Members were given an opportunity to ask questions. Mrs. D'Agresta stated that the Superintendent was asking the Board to establish what you would be doing going forward, in writing, until otherwise changed through negotiations.

- VI. School Board Vote – Chairman Johnson
Chairman Johnson stated that a motion was in order to resolve the issues of impasse. Mr. McCain moved approval of the Superintendent's recommendation. Mr. Pegler seconded the motion. Board Members were given an opportunity to speak to the motion. The Board voted unanimously in favor of the motion, with a 5-0 vote.
- VII. Adjournment – Chairman Johnson
Chairman Johnson stated that the audio recording would be available on the meeting site and that the information resulting from today's procedures would be forwarded to CWA and to the Board's Attorney by Mr. Helsby.

With no further business, the meeting adjourned at approximately 1:29 p.m.