

STATE OF MICHIGAN
DEPARTMENT OF LABOR
EMPLOYMENT RELATIONS COMMISSION

In the Matter of

BRANDYWINE PUBLIC SCHOOLS

-and-

BRANDYWINE EDUCATION ASSOCIATION

Michigan State University
LABOR AND INDUSTRIAL
RELATIONS LIBRARY

On August 11, 1969 the undersigned, Leon J. Herman, was appointed by the Employment Relations Commission as its hearings officer and agent to conduct a fact finding hearing relevant to the matters in dispute between the above parties, pursuant to Section 25 of Act 176 of Public Acts of 1939 as amended, and the Commission's regulations. Accordingly, and upon due notice, hearings were scheduled and held on August 21 and 27, 1969 at Brandywine High School, Niles Township, Michigan.

Brandywine Public Schools

Darrel D. Jacobs, Attorney; Edward J. Ossman, Superintendent; John F. Kenny, Administrative Assistant and Ann Dounvek, Board member, represented the Board of Education.

Dudley Garcia, Chairman; Tom Kennedy, PN Consultant, MEA; Ronald Walz and Dee Cole, Negotiating Committee Members; Rod Begeman, Recorder and Ernest Goforth, President, appeared on behalf of the Association.

The problems of the Brandywine Public School System are particularly difficult of solution. The school area comprises several township and rural districts. There is no industry. There are no resorts. The SEV per pupil of \$7524 is among the lowest 5% in the state and is about half of the other school systems in the area. It has a population of 2688 pupils whom the community does its best to support with a voted millage of 34.898, exceeding the highest in the surrounding area.

The salaries paid to teachers last year began at \$6200 for bachelors and \$6696 for masters on a 12 and 13 step index, with increases of 4% per year. While the school is not wealthy it does employ 120 full time and 5 part time teachers, and teachers must be paid. Furthermore, the salaries paid must be commensurate with salaries paid for similar work in the surrounding area. The fact that the school system is not wealthy does not justify it to employ teachers without adequate salaries. (1)

After consideration of the salaries paid in the surrounding area, the salaries paid last year to the teachers, and the salaries paid in the neighboring school systems, I recommend a bachelors' beginning salary of \$6800 and a masters' beginning salary of \$7242, with 4% increments per annum in accordance with the established school indices.

The Association has asked for a substantial increase in the insurance payments allowed to the staff. To keep the costs of the system within reason and to allow for reasonably adequate compensation for the teachers, I recommend that last year's insurance allowance of \$96 per year be continued without change. ✓

The School Board requires that teachers take at least five hours of graduate work in the first five years of employment with the system. It has been the practice to pay teachers for graduate work. To relieve the burden upon the school finances, I recommend that no payment be made against master's credits until the teacher has accumulated 15 hours.

It has been the Administration's practice to deduct Association dues. The Association now asks that the Board recognize an Agency Shop. I favor such an arrangement. The Association should be secure and assured in its representative position. Any gains it achieves for its members equally benefit non-members. The latter should bear their proportionate cost of representation, whether or not they desire membership. Exception should be made for teachers of long standing who are adamant against joining a professional organization, yet whose long service in the system should not be jeopardized. ②

I recommend that the parties agree upon an agency shop, wherein all teachers in the system either join the Association or pay a sum equivalent to dues as a representation fee, to be deducted

from salaries, except that teachers with five or more years seniority in the system may refuse to pay representation fees without prejudice or penalty.

The Association has recommended a \$100 increase for non-degree teachers and I recommend that this be approved. I further recommend that an additional \$10 per semester hour be paid for each hour earned beyond the two year college program for those hours which lead to a degree and provisional teaching certificate with a maximum of 64 hours. I further recommend that a non-degree teacher, upon receipt of a bachelor's degree and a provisional teaching certificate be placed on the appropriate step on the bachelors degree index. Should he receive the degree during a school year, then his salary should be prorated.

Incidental payments for various duties are recommended as follows:

When a regular staff member is assigned as a substitute he shall be paid at the same rate as substitutes are paid. ③

Driver training teachers shall be paid at the rate of \$4.50 per hour, an increase of \$.25 over last year's rate.

Department heads shall be paid \$125 for two to three teachers, \$150 for four to five teachers and \$175 for six or more teachers, an increase of \$25 over last year's rate.

Grade chairmen shall be paid \$125, an increase of \$25 and \$50 over last year's rate. Extra pay for extra duty shall continue as previously established, except that the head wrestling coach shall receive 9%, the assistant coach 5%. Wrestling has become a major sport in the school system, and warrants additional compensation. The band leader shall receive 9% and the orchestra leader 7%.

I recommend that an arbitration clause in standard form be included in the contract providing that binding arbitration through the services of the American Arbitration Association be the final step in the grievance process. (4)

The term of the contract should be one year. The calendar for the year 1969-70 shall be as proposed by the Board. This is necessary in that there are a number of programs in which students are exchanged with neighboring schools and it is essential that the school calendars coincide insofar as possible to make these exchanges feasible. A problem may arise at the end of the school year when teachers, who are required to work, (5)

must nevertheless find time to register for graduate work in the summer. The Board should allow time off without penalty to any teacher who needs time in June to register for graduate work without loss of pay. (b)

There are a few other matters of minor dispute between the parties, but I believe these can be settled by negotiation without difficulty.

I strongly recommend to both teachers and the Board that this program be accepted. I realize that it fails to meet the desires of both parties and falls far short of what they had hoped to accomplish. It must be remembered, however, that the consummated contract must fall within the purview of the economic ability of the system to meet its expenses and carry through the year. I strongly urge both parties to enter into an agreement substantially as outlined above.



Fact Finder

Southfield, Michigan
September 3, 1969