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STATE OF MICHIGAN

MICHIGAN EMPLOYMENT RELATIONS COMMISSION

FLAT ROCK BOARD OF EDUCATION

-and-

MICHIGAN EDUCATION ASSOCIATION

MERC FACT FINDING
CASE NO. D84 A30

REPORT

OF

FACT FINDER

FACT FINDER:

John B. Swainson
10301 Hogan Road
Manchester, Michigan 48158
(313) 428-8009

STATE OF MICHIGAN
MICHIGAN EMPLOYMENT RELATIONS COMMISSION

Before
John B. Swainson
Fact Finder

FLAT ROCK COMMUNITY SCHOOLS

-and-

FLAT ROCK EDUCATION ASSOCIATION

MERC FACT FINDING
CASE NO. D84 A30

FACT FINDERS REPORT AND RECOMMENDATIONS

The undersigned, JOHN B. SWAINSON, under appointment as a Fact Finding Hearings Officer by the State of Michigan Department of Labor, Employment Relations Commission, to conduct a Fact Finding Hearing in the above cause pursuant to Section 25 of Act 176 of Public Acts of 1939, as amended, and the Board's regulations in connection herewith, and to issue a report with recommendations with respect to the matters in disagreement between the above mentioned parties and in accordance therewith a Hearing was held on June 29, 1984 at the offices of the Michigan Education Association, 8750 Telegraph Road, Taylor, Michigan.

Appearing for the Trenton Board of Education:

Rita E. Thomas, Esq.
Labor Relations Department
Michigan Association of School Boards
421 W. Kalamazoo St.
Lansing, MI 48933
(517) 371-5700

Appearing for the Flat Rock
Education Association:

Nancy Knight
Michigan Education Association
8750 Telegraph Road
Suite 204
Taylor, MI 48180
(313) 292-7200

An application for fact finding having been made to the Michigan Employment Relations Commission, and a determination that the matters in disagreement might be more readily settled if the facts involved in the disagreement were determined and publicly known, John B. Swainson, on April 2, 1984, was appointed as Fact Finder and agent of the Michigan Employment Relations Commission to conduct a fact finding hearing pursuant to Section 25 of Act 176 of Public Acts of 1939, as amended, and the Commission's regulations, and to issue a report with recommendations with respect to the matters in disagreement.

At a formal fact finding session on June 29, 1984, the following facts were found from the evidence and testimony submitted by representatives of both parties.

Flat Rock Community Schools is a small district in downriver Wayne County. There are approximately 1,500 enrolled students and a teaching staff of 71 in the district. It is a district that has gone from a poor to average financial base from 1971 to 1981 because of the opening of the Ford Motor Company Flat Rock Foundry. The foundry closed in December, 1981, and the district suffered a revenue loss as a result of the closing.

There was a shifting of support (in formula) during the next year. State aid was reduced and local support was increased.

Because of this decline, the local taxpayers have become 85% responsible for the funding for the local school district. This is up from

the local taxpayer burden of 53% in 1971.

The school district of Flat Rock experienced a tremendous drop in property evaluation caused by the Ford plant closing in 1981. The local taxpayers were asked to vote for increased millage, and three millage elections were held in 1983. The first two elections were defeated, but a 3 mill increase was passed in October, 1983.

A contract was negotiated for the 1982-84 school years, and provided for no increase of salary for the teaching staff during the 1982-83 school year, but provided for a reopening of the negotiations limited to salary schedule beginning no later than December 1, 1983. (Association Exhibit "A" attached hereto).

As provided in the "reopener", if no agreement on the salary schedule was reached by January 15, 1984, the services of a State Mediator would be sought by mutual request of the parties.

Despite the services of the mediator, the parties were unable to conclude an agreement as anticipated by the "reopener" provisions referred to above. At the close of mediation, it was the Mediator's recommendation that the parties request fact finding.

The Flat Rock Education Association filed a request for fact finding on March 6, 1984.

On April 2, 1984, the Honorable John B. Swainson was appointed Fact Finder. A fact finding pre-hearing conference was held on May 10, 1984 with the parties agreeing to meet in mediation under the auspices of the Fact Finder. The mediation session was held on May 21, 1984 with a frame-work for settlement being agreed to by the parties. The settlement included a 5% salary increase for the 1983-84 school year (retroactive to September 1, 1983) and a 5% salary increase for the 1984-85 school year. All other provisions of the Master Agreement of 1982-84 to remain the same.

The Flat Rock Board of Education rejected this proposed settlement at a meeting held May 29, 1984.

The date of June 29, 1984 was then set for the fact finding hearing.

Under the Master Agreement and the reopening provision agreed to by both parties, the only issue which continues to separate the parties is salary for the 1983-84 school year. The District has asked that an additional year of salary for the 1984-85 school year be considered in the fact finding. The Association has consistently opposed the adding of an additional salary year because the language in the reopener provided for consideration of only the 1983-84 year.

At the time of the hearing, the Fact Finder was informed of the position of both parties relative to the salary issue for the 1983-84 school year.

The Flat Rock Board of Education stated that their position was an offer of 3% increase for the 1983-84 school year, and 5% increase for the 1984-85 school year. (See Board Exhibit No. 1.)

The Flat Rock Education Association stated that their position was an improvement factor of 8.9% over the current salary schedule for 1983-84. (See Association Exhibit No. 1.) The Board of Education asserts that this request is really for 9.1% when the compounding factor is considered.

The Flat Rock Board of Education stated that they do not consider ability to pay an issue since there is a fund equity balance this year which could be used to pay the teachers immediate demands. The Board does not argue inability to pay and further stipulates that funds exist to pay the teachers' demand this year.

Meritorious argument for each of the salary schedules was made by each of the parties, and numerous exhibits were presented, and in the opinion of the Fact Finder, each strongly believed in the inherent justice of their position. In considering all of the foregoing, you Fact Finder rejects the position of the Association with respect to their salary request and likewise rejects the Salary Schedule presented by the Board, and recommends that the following pay schedule be adopted by the parties for the year 1983-84:

TEACHERS' SALARY SCHEDULE
1983-84

STEP	BA	BA + 10	BA + 20	MA	MA + 10	MA + 20	EDS
1	16,480	16,580	16,680	18,297	18,497	18,697	18,897
2	17,472	17,572	17,672	19,481	19,681	19,881	20,081
3	18,672	18,772	18,872	20,990	21,190	21,390	21,590
4	20,013	20,113	20,213	22,492	22,692	22,892	23,092
5	21,360	21,460	21,560	23,998	24,198	24,398	24,598
6	22,695	22,795	22,895	25,509	25,709	25,909	26,109
7	24,043	24,143	24,243	27,022	27,222	27,422	27,622
8	25,394	25,494	25,594	28,535	28,735	28,935	29,135
9	26,739	26,839	26,939	30,027	30,227	30,427	30,627
10	28,230	28,330	28,430	31,552	31,752	31,952	32,152
11	-	-	-	33,203	33,403	33,603	33,803

The above salary schedule represents a 6% across the board increase for the teaching staff over the present salary schedule provided for Bachelor's and Master's Degree tracts. The present formula utilized to compute the additional salary tracts in the 1983-84 Master Agreement remain the same

It is further recommended that if the parties agree to extend the provisions of the 1983-84 Master Agreement through the 1984-85 school year, that the 1983-84 increase be 5% for the Bachelor's and Master's Degree tracts, and that an additional 5% be granted for the 1984-85 school year.

CONCLUSION:

The Fact Finder was gratified by the preparation and presentation of both parties. There was a candid expression of a desire to conclude this matter with amicability. The inability to fund whatever agreement was arrived at was not a matter of disagreement.

It is hoped that upon the adoption of either of the recommendations hereinabove set forth, that the parties can conclude their bargaining negotiations.

As Fact Finder, I am prepared to be of continued service should this be deemed necessary.

Fact Finder

John B. Swainson
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