

1237

FF



State of Michigan

In the matter of:

Hemlock Board of Education

and

Hemlock Education Association

Hearing Officer's Fact Finding Report

Appearances

For the Board:

Carmen S. Spadan, Elementary Principal
Rolland Buford, High School Principal
Dick Redfer, Middle Principal
Bruce Mellinger, Attorney
Thomas A. Basil, Consultant
Merle W. Grover, Consultant
Larry M. Gariglio, Superintendent

For the Education
Association:

Harry W. Bishop, MEA Staff
Donald Krueger
Eldred Leach
Check Koons
Ron McAllister
Judy Turner
Lloyd West

This is a fact finding report under the provisions of Section 25 of Act
176 of the Public Acts of 1939, as amended, which provides in part as follows:

"Whenever in the course of mediation under Section 7 of
Act No. 336 of the Public Acts of 1947, being Section 423, 207
of the Compiled Laws of 1948, it shall become apparent to the
Board that matters in disagreement between the parties might

F.F.

Daniel
Kruger

Hemlock Board of Education

be more readily settled if the facts involved in the disagreement were determined and publicly known, the Board may make written findings, with respect to the matters in disagreement. Such findings shall not be binding upon the parties but shall be made public..."

In accordance with the Board's Rules and Regulations relating to fact finding, the undersigned Hearing Officer was designated to conduct a hearing in the matter and to issue a report in accordance with Labor Mediation Board General Rules and Regulations Rule 35. Briefly, this Rule states that the Hearings Officer will issue a report with recommendations with respect to the issues in dispute.

The Issues

In its petition for fact finding dated September 30, 1970, the Hemlock Education Association listed the following unresolved issues:

1. Salary

Association's Position

| | |
|----------------------|-----------------------|
| B.A. Minimum \$7,600 | B.A. Maximum \$11,400 |
| M.A. Minimum \$8,100 | M.A. Maximum \$12,200 |

Board's Position

| | |
|----------------------|-----------------------|
| B.A. Minimum \$7,600 | B.A. Maximum \$11,100 |
| M.A. Minimum \$8,000 | M.A. Maximum \$11,800 |

2. Extra Compensation for Extra Duties, including coaching

Association Position (a) Percentage of BA step of individual for coaching duties
(b) Flat amount for all others

Board Position Flat amount for both coaching and all other assignments

3. Driver Education

Association position Maintain 1969-70 schedule of compensation of 1/10 of 1% of base salary per hour. This averaged out to \$7.60 per hour.

Board position \$27.50 per child

In its answer to the Hemlock Education Association's petition, the Hemlock Board of Education stated

The Association alleges that the Board's last offer, prior to the filing of the petition, was \$7,600.00 on the BA base and \$8,000.00 on the MA base. It is the Board's position that such offer was not made by the Board of Education, in view of the fact that the offer referred to was only an offer contingent upon the settlement of other issues, such as credit for military service prior to coming to the Hemlock School System. The Board's offer is \$7,500.00 on the BA base and \$7,900.00 on the MA base.

The Board admits that there is a dispute regarding the extra compensation.

The Board further admits that the parties have not reached agreement on compensation for Driver Education.

The Michigan Employment Relations Commission concluded that matters in disagreement might be more readily settled if facts involved in the disagreement were determined and publicly known. Accordingly, the Commission appointed Dr. Daniel H. Kruger as its Hearings Officer and Agent. A meeting of the parties was held on November 2, 1970 at Hemlock, Michigan. Subsequent to the meeting, both parties filed post hearing briefs.

Extra Compensation for Extra Duties

The Hemlock Education Association has proposed that the coaches be paid

on a percentage basis. Their compensation for these extra duties will be calculated on the percentage of the BA step of the individual involved. For example, if the Head Baseball coach has a master's degree and was at the 8th step in the salary schedule, he would be paid 7 percent of the 8th step BA for his coaching duties.

The Board of Education has proposed that the athletic staff be paid a flat amount commensurate with their assignments. In the hearing it was pointed out that no job evaluation studies had been conducted to determine whether one coaching position in one sport does, in fact, entail more responsibilities than another coaching position in another sport. The amounts for each position are identical with those paid during the 1969-70 contract.

The table below shows both the Association's proposal and the Board's offer for both athletics and miscellaneous assignments for which extra compensation is paid.

| | Association Position Percent* | Board Offer |
|-----------------------------|----------------------------------|-------------|
| ATHLETICS | | |
| Baseball, Head | 7% | 525. |
| Baseball, Assistant | 4% | 250. |
| Basketball, Head | 9% | 800. |
| Basketball, JV | 6% | 525. |
| Basketball, 9th | 5% | 300. |
| Basketball, 8th | 4% | 300. |
| Basketball, 7th | 4% | 300. |
| Cross Country, Head | 4% | 300. |
| Football, Head | 9% | 800. |
| Football, Assistant Varsity | 6% | 525. |

*Compensation will be calculated on the percent of BA step of the individual

| | Association Position Percent | Board Offer |
|------------------------------------|---------------------------------|-------------|
| Football, Head JV | 6% | 525. |
| Football, Assistant JV | 5% | 300. |
| Football, 9th | 5% | 300. |
| Golf, Head | 4% | 300. |
| Track, Head | 7% | 525. |
| Track, Assistant | 4% | 250. |
| Wrestling, Head | 7% | 300. |
| Miscellaneous | Association | Board |
| Play Director, Senior Class | 250. | 200. |
| Play Director, Junior Class | 250. | 200. |
| Yearbook | 200. | 350. |
| Cheerleader Advisor, High School | 250. | 250. |
| Cheerleader Advisor, Middle School | 150. | 150. |
| GAA | 150. | 200. |
| Drama Club | 200. | 200. |
| National Honor Society | 150. | 150. |
| Senior Advisor | 300. | 200. |
| Junior Advisor | 300. | 300. |
| Sophomore Advisor | 100. | 100. |
| Freshman Advisor | 100. | 100. |
| Band | 300. | 600. |
| F.H.A. | 400. | 300. |
| Varsity Club | 75. | 75. |
| Patrol Advisor | 75. | 75. |
| Student Council Advisor | 75. | 75. |
| F.F.A. | 500. | 300. |
| Miscellaneous | 75. | 75. |
| Pom-Pom Advisor | 150. | 150. |
| Journalism | 175. | --- |

As noted, the Association has proposed that the faculty member who directs journalism activities should receive \$175. The Board's offer does not include any compensation for journalism.

There is another difference in the Board and Association positions. The Education Association has proposed that there be two faculty members assigned as

Junior Advisors. The rationale is that the Junior class carries out many duties and functions especially the senior prom. In its view, the many activities require the services of two advisors. The Board wants one Junior class advisor. There were two Junior class advisors in 1969-70 and the Association wants to retain these two positions. The Board states that one of these positions was unauthorized last year.

Recommendations:

1. Extra Compensation for Coaches

- A. The Education Association should agree to the schedule for athletes as proposed by the Board.
- B. The parties should establish a joint study committee to examine the job duties and time involved of each coaching position for which compensation is paid. This committee should report both to the Board and Education Association prior to the start of negotiations for 1971-72.

2. Extra Compensation for other Duties

In the schedule for compensation for other duties there are 21 different classifications. In the Association's proposal there are 21 different classifications as compared to 20 in the Board's offer. The Association has included \$175 for journalism whereas the Board did not include such a position.

In 12 of the 20 classifications, both the Education Association and the Board are in agreement. For three positions the Board's offer

is higher than the Association's proposal. For 5 positions the Association has proposed a higher rate of compensation than the Board.

The most notable differences in the 8 positions in which there is no agreement, are for the Band Director and the F.F.A. advisor. For the Band Director, the Board has offered \$600 and the Association has proposed \$300.00. For the F.F.A. advisor the Association has proposed \$500.00 and the Board \$300.00. There is a \$150 difference for yearbook advisor between the Board's offer of \$350 and the Association's proposed \$200.00. In the 5 other positions, the differences range from \$50 to \$100.00.

The Board submitted Exhibit #28 which shows that Hemlock pays 36 faculty members out of 73 for extra duties. Board Exhibits #20, #21, #22, and #23 show the position of Hemlock for compensation for extra duties vis-a-vis neighboring school districts. In most instances, Hemlock compares favorably. The most glaring difference is the compensation for Student Council Advisor. Hemlock pays \$75 while Freeland pays \$478.

Recommendations

The Education Association should accept the Board's proposal with the following exceptions.

A. The Board should continue paying \$300 to each of two Junior Class Advisors. No evidence was submitted that these two positions were not authorized by the Board.

B. The Board should pay the Journalism Advisor \$175 as proposed by the Education Association.

C. Both the Education Association and the Board should upgrade the Student Council Advisor. This is an important position especially in view of the current development of more student involvement in the operations of their high schools, both in Michigan and throughout the nation. This advisor should be carefully selected as this individual could play a major role in getting the students to understand the importance of constructive self-government. The Fact Finder, therefore, recommends a rate of compensation of \$200 for the Student Council Advisor.

The additional cost of these three recommendations would be \$600.00

General Recommendation on Extra Compensation

The Fact Finder strongly recommends that if any of the positions included in these schedules for athletics and other positions are not filled during the school year 1970-71, that the monies not spent for these positions be used to purchase audio-visual equipment and materials for the school system. All teachers, therefore, would benefit from such expenditures.

Salary

Table I shows both the Hemlock Education Association and the Board of Education proposals. The Board is currently paying the salary its Proposal. Table I also shows the dollar difference in the steps in both proposals.

Table I

1970-71 Teacher Schedule B
Association Proposal and Board Offer

| B.A. | | | | M.A. | | | |
|------|--------|-------------------------|-------|------|--------|-------------------------|-------|
| Step | Assoc. | Diff. betwn. Step | Board | Step | Assoc. | Diff. betwn. Step | Board |
| 1 | 7600 | | 7600 | | 8100 | | 8000 |
| | | 300 | | 250 | | 300 | 200 |
| 2 | 7900 | | 7850 | | 8400 | | 8200 |
| | | 300 | | 250 | | 300 | 300 |
| 3 | 8200 | | 8100 | | 8700 | | 8500 |
| | | 300 | | 300 | | 300 | 300 |
| 4 | 8500 | | 8400 | | 9000 | | 8800 |
| | | 350 | | 300 | | 375 | 300 |
| 5 | 8850 | | 8700 | | 9375 | | 9100 |
| | | 350 | | 300 | | 375 | 300 |
| 6 | 9200 | | 9000 | | 9750 | | 9400 |
| | | 350 | | 300 | | 375 | 300 |
| 7 | 9550 | | 9300 | | 10125 | | 9700 |
| | | 350 | | 300 | | 375 | 300 |
| 8 | 9900 | | 9600 | | 10500 | | 10000 |
| | | 300 | | 350 | | 425 | 400 |
| 9 | 10200 | | 9950 | | 10925 | | 10400 |
| | | 400 | | 350 | | 425 | 400 |
| 10 | 10600 | | 10300 | | 11350 | | 10800 |
| | | 400 | | 400 | | 425 | 400 |
| 11 | 11000 | | 10700 | | 11775 | | 11200 |
| | | 400 | | 400 | | 425 | 600 |
| 12 | 11400 | | 11100 | | 12200 | | 11800 |

Table II shows the dollar differences between the Association and Board's salary proposals both for the B.A. and the M.A. It is noted that the dollar differences are larger in the last half of the salary schedule, i.e., steps 6-12. The Education Association has estimated that the Association and the Board are approximately \$13,875 apart on salaries.

The Board of Education in Exhibit #8 pointed out that estimate revenues for 1970-71 would be \$1,102,160. Estimated total expenditures based on the Board's salary proposal of \$7600 would be \$1,206,629, or a projected deficit of \$104,469. Board Exhibit #9 shows that estimated expenditures based on the Education Association proposal would total \$1,221,283 leaving a projected deficit of \$119,123. The Board's exhibit, however under-estimates the cost of the Education Association proposal for coaching and extra curricula by \$1,432. The estimated cost of Driver Education instruction is \$4500 in both proposals. This apparently is an error. The projected deficit including the under-estimation of the cost of coaching and extra curricular duties, based on the Education Association proposal would be \$120,555. No adjustment was made for Driver Education instruction. Thus, the cost difference between the Education Association and the Board of Education proposals on salary, coaching and extra curricula and driver education is \$16,086. A comparison of each exhibit #8 and #9 line by line confirms this difference of \$16,086.

The Board also presented Exhibit #11 showing the year end balance for 1965-1970 as follows:

Table II

Dollar Difference Between Association Proposal and
Board Offer for BA and MA

| Step | BA | MA |
|------|-----|-----|
| 1 | 0 | 100 |
| 2 | 50 | 200 |
| 3 | 100 | 200 |
| 4 | 100 | 200 |
| 5 | 150 | 275 |
| 6 | 200 | 350 |
| 7 | 250 | 425 |
| 8 | 300 | 500 |
| 9 | 250 | 525 |
| 10 | 300 | 550 |
| 11 | 300 | 575 |
| 12 | 300 | 400 |

Source: Derived from Table I - 1970-71 Teacher Schedule

| | |
|-----------|---------|
| 6/30/1965 | -19,606 |
| 1966 | - 2,304 |
| 1967 | - 3,550 |
| 1968 | -83,281 |
| 1969 | -52,675 |
| 1970 | +51,819 |

The Board and Superintendent in one year, 1969 and 1970 eliminated a deficit of \$52,675 and incurred a cash balance of \$51,819.

The Board stated that it would strive vigorously to balance its revenues and expenditures in the current fiscal year, 1970-71. Added to the cost of operation for the current fiscal year will be the opening of a new elementary school.

Recommendation

The Fact Finder can appreciate the economic position of the Board of Education. It has had deficits in five of the last six years. A deficit of \$104,464 has been projected for 1970-71, even under the Board's proposal of a starting salary BA of \$7600. A larger deficit of approximately \$120,555, or \$16,000 higher is projected by the Board based on the Education Association salary proposals.

Of particular significance to the Fact Finder is that a large number of the district's teachers (31) are on Step 7 and higher. 20 teachers with the B.A. are on Step 7 or higher and 11 teachers with a MA are on Step 8 or higher.

This reflects that the Hemlock Board of Education has a larger proportion of experienced faculty members. As noted in Table II, the differences between the Board and Education Association proposals are the largest in the 7-12 steps.

This gap must be narrowed. Accordingly, the Fact Finder has recommended adjustments in the Board offer which are shown in Table III. Thirty teachers will receive these adjustments which total \$5200. This recommendation will thus increase the projected deficit for 1970-71 to \$109,669. The recommended salary schedule is presented in Table IV.

This salary recommendation is being made for two reasons. First, there is the question of equity for experienced teachers. Historically, teacher salaries have been low. Comparisons of salaries say between 1965 and 1970 do show significant increases - both in absolute and relative terms. The relative increases, i.e., percentage, however, are high because of the low base. Administrators, likewise, have received substantial percentage salary increases during this same period.

The second reason for this recommended salary adjustment is that the Fact Finder detected or sensed that the quality of goodwill between the Board, Administrators and Faculty needs to be improved. Goodwill is required if the administrators and the faculty are to carry out the objectives of the Board of Education. Raising salaries is certainly not the only way to improve the quality of goodwill, but is an important indicator of the Board's concern for the economic status of its faculty. Concern or lack of concern is a factor affecting the quality of goodwill.

Table III

Additional Cost of Recommended Salary Adjustment

| | | BA | No. of teachers* | Total |
|-------|----|---------------------------------------|------------------|--------|
| | | Amount of adjustment over Board offer | | |
| Step | 8 | 100 | 0 | 0. |
| | 9 | 100 | 3 | 300. |
| | 10 | 100 | 3 | 300. |
| | 11 | 100 | 1 | 100. |
| | 12 | 150 | 12 | 1,800. |
| | | | | |
| | | MA | No. of teachers* | Total |
| | | Amount of adjustment over Board offer | | |
| | 6 | 100 | 0 | 0. |
| | 7 | 200 | 0 | 0. |
| | 8 | 300 | 1 | 300. |
| | 9 | 300 | 3 | 900. |
| | 10 | 300 | 0 | 0. |
| | 11 | 300 | 1 | 300. |
| | 12 | 200 | 6 | 1,200. |
| TOTAL | | | 30 | 5,200. |

* No. of teachers taken from HEA Exhibits #5 and #6

Table IV

Recommended Teacher Salary Schedule

| | BA | MA |
|--------|--------|--------|
| Step 1 | 7,600 | 8,000 |
| 2 | 7,850 | 8,200 |
| 3 | 8,100 | 8,500 |
| 4 | 8,400 | 8,800 |
| 5 | 8,700 | 9,100 |
| 6 | 9,000 | 9,500 |
| 7 | 9,300 | 9,900 |
| 8 | 9,700 | 10,300 |
| 9 | 10,050 | 10,700 |
| 10 | 10,400 | 11,100 |
| 11 | 10,800 | 11,500 |
| 12 | 11,250 | 12,000 |

Driver Education

The Education Association seeks to retain the basis of compensation for Driver Education which was in effect during the 1969-70 school year. Compensation was based on 1/10 of 1% of the annual salary per hour which averaged out to \$7.60. The Board of Education has proposed \$27.50 per child.

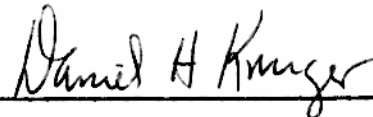
The Board of Education submitted Exhibit #29 showing the rates of compensation for Driver Education in surrounding school districts. The average for nine districts is \$5.50 per hour.

Recommendation

The Hemlock Board of Education pay \$5.50 per hour for Driver Education instructors. This rate of compensation is higher than that paid in the following school districts: Carrollton, Buena Vista, Freeland and Merrill. It is identical with Bridgeport.

Summary

The Hearings Officer made recommendations which can serve as a basis for the parties to reach agreement. He strongly urges the parties to give serious consideration to these recommendations so that agreement can be finalized. Furthermore, it is hoped that this report will assist the parties in developing and promoting goodwill which is so essential to an effective educational program in Hemlock.



Daniel H. Kruger
Hearings Officer

December 5, 1970