



Los Angeles Unified School District
OFFICE OF COMMUNICATIONS
333 S. Beaudry Ave., 24th floor
Los Angeles, CA 90017
Phone: (213) 241-6766
FAX: (213) 241-8952
www.lausd.net



News Release

FOR IMMEDIATE RELEASE

January 2, 2019

CONTACT:

Shannon Haber, 213-241-6766

Statement from Superintendent Austin Beutner and Board Members

UTLA Continues to Refuse to Engage in Contract Negotiations

United Teachers Los Angeles (UTLA), has refused Los Angeles Unified's offer to resume contract negotiations. UTLA has not been willing to engage in contract negotiations since the release of the Fact Finding Report on December 17, 2018.

The Fact Finding Report recommended Los Angeles Unified's offer of a 6 percent raise and back pay for 2017-18, and UTLA's own appointee on the Fact Finding panel concurred with the recommendation. The Report further recommended that Los Angeles Unified commit additional resources to reduce class size, which Los Angeles Unified has agreed to do. The Report also provided a framework to resolve most of the recurring contract issues. Los Angeles Unified has incorporated many of the Report's recommendations in its current offer to UTLA.

"We are willing to work around the clock to resolve all of the outstanding issues, but we cannot make progress if UTLA will not even meet or engage in any discussions," said Superintendent Beutner. "We are asking families and the community to tell UTLA that they must return to the bargaining table to resume negotiations."

"On behalf of all those who sacrifice so much so that their children can learn to read and write, think and believe, and be safe at school, I implore UTLA leadership to name the time and place to re-engage in solution building," said Board President Mónica García. "Our community demands that we do all we can to honor our students and keep schools open."

"In my many recent conversations with parents and students, it is clear that they expect both sides to sit down and resolve these issues. And in conversations with teachers throughout L.A. Unified, I believe that there is way more common ground than UTLA leadership is acknowledging," said Board Vice President Nick Melvoin. "We owe it to these teachers—and, of course, to our students—to settle this contract and need a willing partner to do so. I sincerely hope UTLA will come back to the table to resolve this in the coming days."

(MORE)

STATEMENT 2-2-2-2-2

“I am supportive of our students, families and the vital needs of our school sites,” said Board Member Dr. George J. McKenna III “I believe we should do everything possible to avoid a strike and continue negotiations.”

“My constituents, including the dedicated teachers who serve our BD 3 students, want to see a fair resolution to this dispute,” said Board Member Scott M. Schmerelson. “My constituents also want to see our teachers treated with respect, reasonable class size limits, and a reasonable increase in the number of nurses, counselors, librarians and social workers that our kids so desperately need and deserve. I believe an agreement can still be reached, and a work stoppage avoided, if everybody is willing to compromise.”

Status of Los Angeles Unified Contract Negotiations and Timeline attached.

###



STATUS OF CONTRACT NEGOTIATIONS

January 2, 2019



On December 17 and 28, 2018, Los Angeles Unified again asked UTLA leadership to resume contract negotiations to resolve the remaining issues. UTLA remains unwilling to engage in contract negotiations and has not agreed to engage in any contract discussions since the release of the Fact Finding Report on December 17, 2018.

A summary of the remaining issues and the parties' positions follows.

Monetary Items		
Factfinding Report	Los Angeles Unified Current Offer	UTLA Last, Best and Final Offer
December 17, 2018	January 2, 2019	Effectively no change since April 2017
3% raise 2017-18 school year ¹ 3% raise 2018-19 school year	3% raise 2017-18 school year 3% raise 2018-19 school year	6.5% raise 2016-17 school year
--	--	Back Pay for 2016-17
Back Pay for 2017-18	Back Pay for 2017-18	Back Pay for 2017-18
No additional work or professional development to earn pay raise	No additional work or professional development to earn pay raise	No additional work or professional development to earn pay raise
Investment of 1% – 3% (\$29 – \$87M) in class size reduction, hiring of additional counselors, nurses and librarians	Investment of \$30 million annually in class size reduction and/or hiring of additional counselors, nurses and librarians.	Additional staffing and class size reduction at a cost of \$786 million annually
Elimination of Section 1.5 of CBA negotiation of new class-size maximums and averages, and inclusion of financial triggers to safeguard District finances	Elimination of Section 1.5 of CBA, negotiation of new class-size maximums and averages, and inclusion of financial triggers to safeguard District finances	Eliminate section 1.5 of CBA

¹ UTLA Fact Finding Panel Appointee, Vern Gates, Negotiations Specialist California Teachers Association, “I concur with Chair Weinberg’s recommendation regarding the District’s salary proposal with respect to the compensation increase of 3% for 2017- 2018 and 3% for 2018-2019.”

Los Angeles Unified has made proposals to resolve issues reflected in the chart below.

UTLA has also made some non-monetary demands which would take away the ability of school leaders and the community to make decisions in the best interests of students. Other UTLA demands are not lawfully subjects of bargaining, as reflected in a PERB Complaint issued on December 10, 2018 against UTLA.

Non-monetary Items		
Fact Finding Report	Los Angeles Unified Current Offer	UTLA Last, Best and Final Offer
December 17, 2018	December 28, 2018	Effectively no change since April 2017
Reimbursement rate proposed by UTLA for release time (Article IV-UTLA Rights)	Accept factfinding recommendation	Effectively no change since April 2017
Exclude suspensions as disciplinary action that would foreclose teachers from being considered for additional pay options (Article X-A-Discipline)	Accept factfinding recommendation	Effectively no change since April 2017
Multiple dates of eligibility for salary differentials (Article XI-B-Master Plan)	Accept factfinding recommendation	Effectively no change since April 2017
Maintain teacher eligibility for half-time leave (Article XII-Leaves of Absence)	Accept factfinding recommendation	Effectively no change since April 2017
Provide additional information to substitute teachers before they accept classroom assignments (Article XIX-Substitute Employees)	Accept factfinding recommendation	Effectively no change since April 2017
Maintain seniority in assignments for Summer/Winter Session (Article XX-Summer/Winter Session)	Accept factfinding recommendation	Effectively no change since April 2017
Locate and provide workspace for itinerant employees (Article XXXI-Miscellaneous)	Accept factfinding recommendation	Effectively no change since April 2017

Unlawful Items Reflected in PERB Complaint

PERB Complaint	Los Angeles Unified Current Offer	UTLA Last, Best and Final Offer
December 17, 2018	December 28, 2018	Effectively no change since April 2017
Magnet School Conversions are not lawfully a subject of bargaining	Same position as PERB Complaint	Magnet School Conversions should require a supermajority staff vote
Determination of testing is not lawfully a subject of bargaining	Same position as PERB Complaint	UTLA members should have complete discretion to determine when and/or what assessments are used in the classroom
School-based funding is not lawfully a subject of bargaining	Same position as PERB Complaint	UTLA should have control over how discretionary local school funding is spent instead of school principals
Teacher class assignment is not lawfully a subject of bargaining	Same position as PERB Complaint	UTLA vote to determine procedures for teacher class assignment at every school. UTLA vote on selection of a coach, coordinator, or dean.
Rules about changing in status of temporary teacher to probationary are not lawful subjects of bargaining.	Same position as PERB Complaint	Change rules how temporary Adult Education teachers become probationary.
UTLA representation of teachers at “all meetings related to employee working conditions” is not lawful subject of bargaining.	Same position as PERB Complaint	Teachers entitled to union representation at “all meetings related to employee working conditions.”

PERB: the Public Employment Relations Board is an agency which oversees public sector collective bargaining in California. PERB oversees the mediation and Fact Finding process.

Fact Finding: the State-mandated process in which recommendations are made by a State-appointed neutral expert in labor relations as to how to resolve labor disputes

Factfinding Report: the report issued by the State-appointed, independent, neutral factfinder

CBA: the collective bargaining agreement that is presently in place between LAUSD and UTLA

TIMELINE OF CONTRACT NEGOTIATIONS

- Apr 2017:** Bargaining begins on a successor agreement to the three-year contract that expires on June 30, 2017.
- Apr 2017 – Jul 2018:** Los Angeles Unified and UTLA hold 22 bargaining sessions. UTLA Last, Best and Final Offer of January 2019 is effectively the same as proposed by UTLA in April 2018.
- Jul 2:** UTLA declares that the negotiations are at an impasse. One additional bargaining session is held. Impasse is declared again.
- Jul 24:** UTLA issues Last, Best, and Final offer (effectively unchanged since April 2017).
- Aug 3:** California Public Employees Relations Board, the state agency charged with ensuring fairness in the bargaining process, approves the impasse
- Sep 25:** Los Angeles Unified issues revised offer on salary: 6% raise, 3% retroactive for the 2017-18 school year, plus 3% for the 2018-19 school year; a class-size reduction of four students in core subjects in 15 of the highest-need middle schools and 75 of the highest-need elementary schools.
- Sep 27 – Oct 12:** Parties hold three unsuccessful mediation sessions, and Los Angeles Unified files an unfair labor practice charge against UTLA for refusing to bargain in good faith.
- Oct 30:** Los Angeles Unified revises contract offer on salary (adding 12 hours of professional development to salary proposal in lieu of additional work), and to form a working group with UTLA members to confer on criteria and procedures to determine class size).
- Dec 3-4:** State-mandated three-person Fact Finding panel holds hearings on the negotiations.
- Dec 17:** Fact Finding panel issues report. The neutral, independent Fact Finding Chair recommends, among other things, that UTLA accept LAUSD's offer of a 6% raise and an additional 1%-3% of funding be set aside to lower class size and hire more counselors, librarians and nurses.
- Dec 17:** PERB issues complaint stating UTLA has "failed and refused to bargain in good faith."
- Dec 19:** UTLA sets strike date of January 10, 2019 and refuses to engage in further contract discussions.
- Dec 28:** Los Angeles Unified revises offer to incorporate certain recommendations of Fact Finder.