

A Message from the PACT President

Despite all of our efforts to avoid a job action, the Board of 4 continues to push PACT to strike. One thing they seem to forget, PACT leadership is comprised of teachers and **we** do not make knee-jerk decisions! Despite what the Acting Superintendent and the Board of 4 say, **WE ARE THE ONES WHO TRULY CARE ABOUT THE STUDENTS!**

On Friday, December 11, 2009, the Board of 4 held another emergency Board meeting and voted unanimously to spend \$459,000 to hire 20 scab positions under the pretense that they always have trouble getting subs and this is a way to have subs on hand as well as to prepare for any possible job action by the teachers. My response to the recent action taken by the Board of 4 follows:

“It appears that the Acting Superintendent and 4 of the PCSSD School Board members would rather continue to create fear in the District and spend \$459,000 of money that they told PACT they didn’t have, instead of respecting its teachers by restoring recognition and ratifying an agreement that was negotiated in good faith.

That money should be going into the schools for educational supplies & materials, technology, repairs/improvements to the buildings – things that directly impact students and student achievement.

I sincerely hope that the public sees the actions of the Acting Superintendent and the 4 Board members for what they are. I believe their motives are impure and their knee-jerk decisions are driven by personal agendas.”

After 7 months of negotiations, both parties reached a tentative settlement package composed of many tentative agreements (TAs), the last of which was signed by **both** Chief Negotiators on Friday, December 4, 2009. According to the ground rules contained in Article I Section 11E of the Professional Negotiations Agreement (PNA) between the Board and PACT,

“Both teams are vested with full authority to make, agree to, and sign tentative agreements. When both parties reach an agreement, the Chairperson for each team will sign and date the agreement.”

The TAs have been made by both parties, agreed to by both parties, signed by both parties, and ratified by one party – PACT.

It is extremely important to note that, contained in Article XVII of the current 2006-2009 contract (PNA), is a duration clause that states that the current agreement ...”shall remain

in effect until a successor agreement is negotiated.” Contained in Article I Section 1 of that agreement is PACT’s recognition. Therefore, on December 8, 2009, when a majority of the School Board voted to withdraw recognition from PACT – for no reason whatsoever – the Board **breached** the PNA that remains in effect until negotiations of that successor agreement was completed.

After several months of good faith bargaining, the Board President requested that we wait until October to wrap-up negotiations because he needed Mr. Wood’s vote to become President of the Board again. He also told us that the District did not have the money to fund a raise at that time and it would be March until the District had more concrete financial information. Both parties continued to meet and it was made clear that March was unacceptable. The District had a \$21 million fund balance accumulated on the backs of its teachers and a one-time bonus in March was unacceptable.

After the 7 months of negotiations (following the same process as has been followed since 1991), after all TAs in the package had been agreed to and signed (in good faith), and after one party (PACT) had voted unanimously on Sunday, December 6, 2009 to ratify the entire package agreement, the Board of 4 did not want to ratify a package agreement that the District **paid** a consultant to negotiate on its behalf. The Board of 4 contends that they did not have time, prior to Board ratification, to review the TAs. A false contention.

PACT Chief Negotiator Deen Minton was contacted by the PCSSD paid Chief Negotiator Gary Miller on Monday, December 7, 2009 with several problems that a few Board members had with the package. One problem identified by President Clark involved limiting the number of current Oak Grove HS teachers who could staff the new high school in Maumelle – a provision in the contract that was never opened and/or addressed by either party during the course of negotiations. Other issues identified by Mr. Clark at the “11th hour” (after ratification by PACT) involved lesson plan language, classroom walk-through language, instructional management system (IMS) language, and flex day language. PACT assured them that, after the Board ratified the package, we would address legitimate concerns with the language by way of a memorandum of understanding (MOU); but, we would not cater to personal agendas. Teachers had already ratified the entire package that was already a product of “give and take” bargaining.

On the evening of the Board’s Regular Meeting (December 8, 2009), PACT received a press release containing the agenda for a special meeting to be held prior to the regular meeting. The agenda for this emergency meeting included the Board ratification of the PACT contract. However, games played by the Board President prior to the meeting halted this. Under the Association Business portion of the agenda of the regularly scheduled meeting, I expressed my disappointment with the Board and spoke about the

importance of honoring one's word. At no point in time did I, on behalf of PACT, ever say or do anything that would justify the Board's "spur of the evening" (10:30 pm) vote to withdraw the recognition of PACT!

On Thursday, December 10, 2009, approximately 700 teachers who were on accrued/personal leave took time from their personal business to join me at a "Fair Treatment" rally. Many of these teachers had plans to support their students as well as their own children by attending evening Christmas Programs, athletic events, band concerts, etc., at their schools. These dedicated professionals were informed that they were not allowed to attend and if they showed-up they would be arrested and/or escorted off campus by police. One RHS teacher went to school to pick-up some student papers to grade and the principal had her escorted off campus. This is the type of retaliation and unfair treatment PACT members have had to deal with for far too long. PACT is being used as a scapegoat for the actions of a Board of 4.

PACT remains committed to getting our recognition restored and getting our contract – that was bargained in good faith – ratified. It is a matter of **RESPECT**.

Leadership can often be controversial. I believe in a balance of professionalism and activism and will utilize both to see that teachers in PCSSD are respected for the professionals that WE are. I am a teacher and am proud to be the President of the Pulaski Association of Classroom Teachers!!

Enough is enough is enough!!! We have been treated unfairly and it will be our collective action that prevails in the end!

In Solidarity,
Marty