

**MTA Meeting- South
12/7 Notes
Ellefson**

Our current financial situation

2009 deficit spending is a combination of factors, including failing to budget for an increase in TRS payments and a failure to budget for additional teaching positions (13).

We CAN NOT spend the fund balance down to zero- this would be detrimental to the financial health of the district. The potential revenue generated by the Des Plaines casino has not been taken into account (though plans are well underway for the construction of said casino).

Voting

There is NO CASE LAW for our situation (the Colorado school district example withstanding). We are dealing with *interpretations* from legal consultants on both sides (Board and MTA). According to the Board lawyer's letter, those case examples mentioned ONLY APPLY TO THE PRIVATE SECTOR- NOT THE PUBLIC SECTOR. This letter is the interpretation of the Board's legal consult only.

During negotiation, if legal impasse is reached- where both sides are stuck- the Board can impose a "last best offer." The expectation is that we would enter into "good faith bargaining." There would need to be a mutual agreement to return to the original language of the contract.

The Board can waive their right to impose a last best offer; our Board has only agreed to "limit" their right to impose a last best offer.

Staffing positions are an inherent managerial right. We can only bargain the impact of their decisions. Absent an agreement in writing, the Board has sole decision-making power regarding staffing. The Board would have to list individually, in writing, how many jobs will be saved and for how long. To make sure that any concessionary money goes toward saving jobs, there needs to be an explicit agreement in writing.

The ratification of a TA (concessionary agreement) requires 50% of the voting population plus 1 member. If we authorize the team to negotiate on our behalf, and if pre-negotiation terms are met, then we must be willing to accept what the negotiation team brings back to the membership for ratification- good or bad.

Our vote Friday- If a Yes vote is obtained, the contract is not open immediately for negotiation. We are voting for the MTA negotiations team to seek pre-negotiation terms with the Board. If the terms are not agreed upon, there will not be negotiations.

In terms of a timeline...the negotiation process is not a quick fix. We could be looking at a multi-month negotiation process. There is no easy, quick solution.