



Modifications to Public Employment Labor Relations Act (PELRA)

HF 1522 and SF 1384 – House and Senate Labor Omnibus Policy bill (Representative Nelson and Senator McEwen)

HF 2497 - House Omnibus Finance and Policy bill (Representative Youakim)

The Labor Omnibus bill and the House Education Finance and Policy Omnibus bill have provisions that change the definition of Terms and Conditions for public schools by requiring collective bargaining for staffing ratios, class sizes, student testing, and student-to-personnel ratios and removing the number of personnel from Inherent Managerial Policy. It has been characterized as a change that does not guarantee outcomes, but rather ensures a discussion is held. Minnesota School Boards Association (MSBA), along with other education organizations, maintain that this will require negotiations, which is much more than a discussion; it is a legally binding contract.

Terms and conditions of employment redefined.

- **Requires** collective bargaining over staffing ratios and for school employees, bargaining over class size, student testing, student to personnel ratios.

Inherent managerial policy.

- **Removes** the number of personnel as a matter of inherent managerial policy that public employers including school districts are not required to meet and negotiate on.

The Minnesota School Boards Association (MSBA), Minnesota Association of School Administrators (MASA), Association of Metropolitan School Districts (AMSD), Minnesota Rural Education Association (MREA) and Saint Paul Public Schools strongly oppose these provisions. School Board members are trusted, elected by their community to govern the school district and work with administration to create opportunities for students to succeed, within the financial means of the school district and community. These bills move management responsibilities to the employees. Today, the school administration and the school board make those decisions and bear responsibility for those decisions.

Currently our organizations are opposed to the changes to terms and conditions and inherent managerial rights in HF 1522, SF 1384 and HF 2497 for the following reasons:

- School boards and administration sincerely appreciate and value their staff. The work of the school district cannot be accomplished without them. School boards and administration also are deeply concerned about the welfare and opportunities for their students.
- Building size and staff remain a constant throughout the school year. Student enrollment can change on a daily, weekly, or monthly basis by one or perhaps dozens of students at a time. Any change in student enrollment would place districts out of compliance with the collective bargaining agreement (CBA). Once CBAs are agreed to and signed, they cannot be reopened. A district would be forced to hire additional staff and would be in breach of contract if not able to do so. This could lead to grievances; teachers stopping work and giving educators the right to strike over class size thresholds.
- School boards are required by law to manage and control the finances of the school district. Compulsory implementation of class size limits and student-to-teacher ratios removes any managerial right to act in a fiduciary manner of public funds.
- Administration must have the flexibility to adapt to the needs of specific student populations and the capabilities of the available resources. Establishing class-size requirements within a collective bargaining agreement restricts the school administration's flexibility and decision making about the most effective use of staff, space, and financial resources.
- Negotiating smaller class sizes has proven to be costly for school districts. There are no assurances the state aid will accommodate the negotiated class sizes.
- Making class size a term and condition of employment will actually limit the ability of school boards to provide compensation increases to staff.
- Capping class size in contracts limits school boards in targeting extra resources to schools that serve the highest concentrations of students in need, including highly mobile students, low-income students, students of color and students with disabilities. This is an issue of equity.
- Currently, school administration and teachers discuss through a "Meet and Confer" process. They discuss policies and other matters relating to their employment which are not "terms and conditions of employment". This is a necessary, productive, and healthy process and it provides an opportunity to exchange ideas that may be impacting the work environment.
- Currently, districts and teacher unions can include class sizes in contract negotiations.