



# SMITH HILL REPORT

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## RIFTHP Testifies Against Budget Articles

Over the past three weeks, the RIFTHP has testified over a dozen times on proposals Governor Carcieri made in his Supplemental Budget. The House Finance Committee has heard all of the budget articles in preparation of passing a bill to balance the current fiscal year budget. The Senate Finance committee has heard some, but not most of the proposals made by the Governor.

### Article 19 – Statewide School Employee Healthcare and Dental Program

On January 15, **Marcia Reback** testified in **opposition** to this article which narrows the scope of collective bargaining by preventing unions representing teachers and other school employees from bargaining health insurance, including dental and vision benefits, for their members. It also would require a minimum 25% of premium cost-sharing for school district and municipal employees and would cap the payment for those waiving medical insurance to 10% of the premium.

### Article 21 – School – Municipality Budget Disputes

On January 15, **Marcia Reback** testified in **opposition** to this article which changes the existing process (known as a Caruolo action) that permits school districts to sue in Superior Court for additional funding. The article creates a panel that would have binding authority over budget disputes. The panel would also be able to create a corrective action plan that “may include the suspension of any contracts or non-contractual provisions to the extent that State aid has been reduced and to the extent legally permissible.”



You are making a difference and it's not too late to get your message out.

Thousands of “**Keep the Promise**” postcards, urging RI legislators to vote to eliminate the non-financial, punitive Articles from the Governor’s supplemental budget, have been sent by **RIFTHP** members over the last two weeks.

If you have not sent a postcard to your senator or representative, ***it is not too late!***

For contact information for your senator or representative, go to [www.rifthp.org](http://www.rifthp.org).

### Article 23 – School Nurse-Teachers

On January 30, the **RIFTHP** testified in **opposition** to this article which amends State law that requires school health programs to be run by certified school nurse-teachers. The article permits the use of nurses who are not certified teachers to administer nursing care and run programs in schools.

Also testifying was **Alice Brady**, a *Certified School Nurse-Teacher* from the *North Providence Federation of Teachers*. She also testified before the Senate Finance Committee on February 10<sup>th</sup>.

### Article 25 – Teacher Tenure

On January 29, the **RIFTHP** testified in **opposition** to this article which changes the notification deadline for non-renewal of a non-tenured teacher, termination of a tenured teacher, or the layoff of a teacher because of population decline from March 1 to June 1. The article would permit the termination of tenured teachers because of a reduction in the school district’s personnel budget. The article allows districts to bypass the seniority of laid off teachers in order “to meet the requirements of State or Federal mandates.”

### **Article 26 – Fiscal Impact Statements**

Existing State law requires school committees to prepare and make public a fiscal impact statement of any collective bargaining agreement upon ratification of the contract. On January 29, the **RIFTHP\*** testified in **opposition** to this budget article which would require school districts to post the fiscal impact statement on a website for at least thirty (30) days prior to contract ratification.

### **Article 27 – Teacher Strikes**

On January 29, **Marcia Reback** testified in **opposition** to this article which prohibits teacher strikes. The definition of a strike would include “work-to-rule” or “other concerted job action.” Teachers would be penalized with the loss of two days’ pay for each day on strike or work-to-rule. Any labor organization participating in a strike or other action would lose recognition rights and the ability to collect dues for three (3) years.

### **Article 28 – Progressive Support and Intervention – Teacher Rights’ Limitations**

On January 29, the **RIFTHP** testified in **opposition** to this article which would suspend teacher contract rights related to assignments and transfers if the school is under the State’s intervention system for three years. Those districts would also be required to utilize a State evaluation system in lieu of the collectively-bargained evaluation system.

### **Article 29 – School Committee Management Rights**

On January 29, the **RIFTHP** testified in **opposition** to this article which would give school management unrestricted rights to: establish class sizes, establish academic achievement criteria, assign school personnel, transfer, layoff, recall, promote, discharge, assign, reward or discipline employees, and select textbooks, supplies and equipment.

### **Article 31 – Education Aid**

On January 22, the **RIFTHP** testified in **opposition** to this article which suspends the entire State expenditure for teacher professional development and reduces aid to school districts and charter schools by deferring employer contributions into the pension fund. Testifying

against the proposal were **Colleen Callahan, RIFTHP; Mary Ann McComiskey, Lincoln Teachers’ Association; and Kathleen Torregrossa, Cranston Teachers’ Alliance.** The **RIFTHP** also testified on this issue on February 5<sup>th</sup> before the Senate Finance Committee.

### **Article 32 – Teacher and State Worker Pension**

On January 15, the **Marcia Reback** testified in **opposition** to this article which would impose a minimum age requirement of 59 years for those in Schedule A of the teacher and State worker pension plan if retiring on or after April 1, 2009. The article would also eliminate the COLA adjustment for anyone (either Schedule A or B) who retires on or after April 1, 2009.

### **Article 44 – Health Insurance Cost Sharing**

On January 15, the **RIFTHP** testified in **opposition** to this article which repeats language presented in Article 19 preventing public sector bargaining for health insurance and requiring a 25% employee cost-share for all contracts executed after January 1, 2009.

### **Article 45 – Municipal Pensions**

On January 28, the **RIFTHP** testified in **opposition** to this article which makes changes to municipal, police and fire pension benefits. Municipal employees with less than 10 years of contributory service as of July 1, 2009, would have a minimum retirement age of 59 with 29 or more years of service.

### **Article 48 – Personnel Reform**

On January 30, the **RIFTHP** testified in **opposition** to this article which is designed to prevent state worker unions from negotiating staffing and minimum manning clauses. It also prevents any public sector arbitration award from mandating “levels of personnel employed by the State”. Finally, the article requires the approval of the Governor and the Director of Administration before any State contract, including those with the Courts, the Board of Regents, and the Board of Governors, can become effective. Testifying against the article were **Jason Blank, RIC/AFT Local 1819; and Robert Bower, PSA@RIC Local 3302.**