



# SMITH HILL REPORT

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## Protection of Bargaining Rights Debated in Senate Education Committee

A bill introduced by **Senator Paul Jabour**, *supported* by the RIFTHP, would prevent the Commissioner of Education, in using her/his authority under the State intervention Statute, from negating collective bargaining rights. The bill, **S350**, was heard in the Senate Education Committee on April 29.

The bill places a paragraph from the Federal No Child Left Behind Act into the Rhode Island intervention statute. The RIFTHP urged the committee to support the measure to align Rhode Island law with federal law and to prevent counterproductive interference with collective bargaining agreements.

The RIFTHP cited recent actions in which Commissioner McWalters has limited teacher rights and benefits by changing the rules in teacher transfers in Providence and by unilaterally eliminating the high school department chair positions in Central Falls.

The NEA/RI also testified in support of the legislation. Deputy Commissioner David Abbott and Rhode Island Association of School Committees Director Tim Duffy both opposed the legislation. Testifying in support of the bill was Pawtucket Teachers' Alliance President **Charleen Christy**. She cited the necessity of having labor and management work together to improve schools. She forcefully argued that it is counterproductive to impose changes on teachers and that results will only be gained by having the parties work together.

## Anti-Labor Bills Heard in Senate Labor Committee

The RIFTHP testified *against* three anti-labor bills in the Senate Labor Committee on Wednesday, April 29. All three bills were drafted based on amendments to State law introduced by Governor Donald Carcieri as part of his 2009 Supplemental Budget.

**S444** by **Sen. Bates** would impose a minimum 25% cost-sharing for all public employees. The RIFTHP and numerous other labor organizations opposed it as a means to simply take money from working people without negotiation. The union representatives argued that the legislature should not restrict the scope of collective bargaining and noted that concessions do occur when justified through local union negotiations.

Pawtucket Teachers' Alliance Vice-President **Ron Beaupre** raced to the State House after school to testify against the bill. He recounted that teachers in Pawtucket have bargained lower salaries in exchange for maintaining minimal cost-sharing. He informed the committee that the bill raises cost-sharing, but does not compensate teachers through higher salaries or other means.

**S693** by **Sen. Blais** would restrict state worker bargaining rights by preventing contract provisions related to staffing. The RIFTHP testified that the restrictions would not benefit the public or the workers, citing the staffing ratio in the state court reporter contract necessary to ensure sufficient staff are available for court sessions to be held as scheduled. **Rob Bower**, President of the Professional Staff Association @ RIC listened to numerous other bills before offering testimony against the bill. He objected to the provision that would require the Governor's approval of contracts bargained with the Board of Governors.

**S658** by **Sen. Bates** is the same as the Carcieri Budget Article that would penalize teachers two days of pay for each day spent on strike or working to rule. The RIFTHP and the NEA/RI strongly objected to the bill, citing how the Regent-backed legislation focuses on hurting teachers while the Regents are ignoring other initiatives that would benefit students.

Katherine Crowley, Johnston Deputy Superintendent, testified in support of the bill on behalf of the Superintendents' Association. She cited alleged harm in recent work-to-rule actions in un-named districts. Regents' Chair, Robert Flanders, signed up to testify on the legislation, but failed to wait for the bill to be heard to provide testimony.

## **Bill Introductions** **Senate Bills**

- **Council Participation in School Committee Negotiations**

(**S0066** *Walaska, Senate Labor*)

This act would provide that a city or town council member would be included in any contract negotiations that a school committee is involved in.

- **Primary Election – School Closings Rescission**

(**S0424** *Gallo, Senate Judiciary*)

This act would eliminate the requirement that all public elementary and secondary schools throughout the State shall close for a statewide primary election.

- **Mandate Relief – Successful Schools**

(**S0481** *Walaska, Senate Finance*)

This act would allow the Board of Regents for Elementary and Secondary Education to grant waivers to schools which continuously exceed performance goals.

- **Voluntary SIT Committees**

(**S0483** *Raptakis, Senate Education*)

This act would make voluntary the establishment of school improvement teams by school boards or school committees.

- **Post Retirement Employment – Nurses and Nurse Faculty**

(**S0505** *Fogarty, Senate Finance*)

This act would allow any retired member who retired from service as a registered nurse to be

employed or re-employed for the purpose of providing professional nursing care and/or services at a State-operated facility in Rhode Island or as faculty of a nursing home program at a State-operated college and may earn up to twenty-four thousand dollars in any one calendar year. The current limit is twelve thousand dollars.

- **School – Municipal Budget Disputes – Fact Finding**

(**S0569** *Levesque, Senate Judiciary*)

This act would establish standards and procedures whereby a school committee may, within five (5) days of a negative vote by an appropriating authority (i.e. municipality or municipalities in the case of a regional school district), request non-binding, fact finding mediation to be conducted by a special master appointed by the Superior Court.

- **Teacher Training – AP Courses**

(**S0727** *Pichardo, Senate Education*)

This act would require the establishment of clear training guidelines for teachers who will teach advanced placement classes in Rhode Island public schools.

- **High School Graduation Rate Policy**

(**S0728** *Pichardo, Senate Education*)

This act would require the adoption and implementation of a formula to calculate information about “on-time” graduation from students in Rhode Island public high schools.