



SMITH HILL REPORT

Notification Date Change

On Tuesday, March 16, the RIFTHP testified before the House Labor Committee in **opposition** to **H7143** (Gablinske). The bill would amend the notification requirements regarding the dismissal, suspension or lay-off of teachers in the event of a fiscal exigency or program reorganizations. The date would be changed from March 1 to May 15 and also removes the one-month notification to teachers dismissed for cause. It additionally would change the recall language for teachers suspended because of a decrease in enrollment to say “seniority may not be the sole means by which such appointments are made.”

On Tuesday, March 16, the RIFTHP also testified before the House Labor Committee in **support** of **H7465** (Guthrie). This “compromise” bill would change the teacher suspension or lay-off notice date to May 15, but amends the situations when a teacher could be suspended to include “program reduction or elimination and budget reductions” as well as a decrease in pupil population. The RIFTHP thinks this is fair in that it allows teachers recall rights in more instances while giving school committees added time to make decisions on layoff notices.

Waiver of Medical Insurance

On Tuesday, March 16, the RIFTHP testified before the House Labor Committee in **opposition** to **H7528** (Gablinske). The bill would authorize municipalities to limit the amount paid to employees who waive their health insurance benefits to ten percent of the health insurance premium. The RIFTHP testified that this benefit has been negotiated for years in many collective bargaining agreements and the employer has the ability to negotiate changes to this provision under the current law.

Accumulated Sick Leave

On Tuesday, March 16, the RIFTHP testified before the House Labor Committee in **opposition** to **H7391** (Gablinske). The bill would prohibit any municipal government from negotiating payment to employees at the end of their employment for accumulated, unused sick leave. For years, this practice, which was initially thought of as a cost-saving measure to cities and towns, has been a subject of collective bargaining. The RIFTHP testified that employers already have the ability to bargain this language out of their labor agreements during contract negotiations. Representative Gablinske admitted that this bill was in response to an article he read in the Providence Journal “exposing” a retiring public employee who received a large sum of money for unused sick and vacation time. No evidence was given at the hearing that would support any cost savings that would be generated by passage of this bill.

Performance Pay

On Tuesday, March 16, the RIFTHP testified before the House Labor Committee in **opposition** to **H7804** (Loughlin). The bill would allow school committees to negotiate other means of compensation for teachers including, but not limited to, performance pay. The RIFTHP noted that school committees and teachers’ unions already have the ability to negotiate other means of compensating teachers, including performance pay. There are already several school districts that have negotiated performance pay provisions. The union objected though to the language change, substituting the word “may” for “shall”, effectively eliminating the need for school committees to continue negotiating the system of step raises that were established to recognize years of service, experience and training for all certified personnel in public schools.

Vacating Arbitration Awards

As we have done for many years, on Wednesday, March 17, the RIFTHP testified in **support** of H7582, (San Bento) before the House Labor Committee. This perennial bill is an effort by the RIFTHP and other public employee unions to codify in law the instances that an arbitration decision could be appealed in court. Currently there are only four reasons an arbitration award should be brought to judicial review. In all too many cases, employers who are not satisfied with the arbitration outcome appeal the decision to court even though their case does not meet any of the four criteria. These court maneuvers prolong the process and drive up legal costs. The RIFTHP testified that this bill strengthens the language to ensure that arbitration awards are not appealed for reasons not specified by the General Assembly.

Student Selection – Mayoral Academies

On Wednesday, March 17, the RIFTHP testified before the House Health, Education and Welfare Committee in **support** of H7415 (Segal). This act would require mayoral academies to use a random selection process to select those students who would be invited to attend the mayoral academy. Currently, the academies select students from a list of those who have opted to be included in the lottery held by the school. The RIFTHP, along with the NEA/RI, testified that the current process allows the charter schools to minimize the numbers of students less likely to succeed in their program and is not fair to other students. The unions argued that these public charter schools should be available to all students not just self-selected students. Rebutting the complaint of the Mayoral Academy administrators that the new process of automatically “opting in” all students, unless the parents decline for the student, would be too cumbersome and unmanageable, the unions noted that all public schools currently deal with this every year during enrollment, and throughout the year as students move from school to school or district to district. The RIFTHP supported the language in the bill that would make the selection of students more random, utilizing a confidential process.

Bill Introductions ***House Bills***

- **Code of Ethics – Business Associate**
(H7573 *Carnevale, House Judiciary*)
The RIFTHP **supports** this act which would expand the definition of “business associate” for the purposes of the code of ethics to include persons who are dues-paying members of any bargaining unit to any labor union.
- **Teacher Binding Arbitration**
(H7581 *Gemma, House Labor*)
The RIFTHP **supports** this act which would expand the scope of the binding arbitration process to include monetary issues for teachers and non-teacher educational employees. It would also streamline the actual binding arbitration process itself.
- **School Committee Meeting Notice**
(H7626 *Newberry, House Judiciary*)
The RIFTHP **opposes** this act which would amend the open meetings law by permitting school committees to satisfy the publication requirements regarding their meetings through publication on a website maintained by the school committee or by publication in a newspaper.
- **Public Employee Benefits – Part-Time**
(H7678 *Kilmartin, House Labor*)
The RIFTHP **supports** this act which would change the definition of part-time State employee regarding eligibility for medical insurance benefits. It would increase the minimum weekly hours worked from twenty (20) to thirty-five (35) hours.