



PEI

PROFESSIONAL EDUCATORS OF IOWA

March 11, 2015

Changes to Arbitration?

The Iowa House has a bill coming forward that is of great concern to Professional Educators of Iowa. HF 549 targets teachers and AEAs and excludes all other public sector bargaining contracts. It seems to be hastily fashioned and not in our estimation a bill that will do anything to save tax dollars and by our information will do just the opposite. The rationale for our posturing is in the following official statement. PEI does not see that as harmonious with our long running position of doing what is best for education in practice and with fiscal responsibility. Although we certainly have ideas and concepts for making the teaching positions more equitable for both the union and non-union teachers, we do not see any practical reason to make the proposed changes of HF 549.



We welcome you to express yourselves to the senators and representatives whose attention you can gain whether you agree or disagree with our assessment. At the end of this document you will have a link for contact. We also will appreciate your opinions on this matter.

Binding Arbitration Reform for Teachers

The faults of HF 549 outweigh its merits. Characterized as a "tightly focused bill" and being sold as a cost effective savings to the taxpayers, it is the opinion of Professional Educators of Iowa that it will not only be more costly, but also a burdensome drag on the collective bargaining process. PEI has investigated the promotional points and we conclude that they are mainly based on general opinion and not facts. We encourage all legislators to gain information from the agency that deals with this the most, the Public Employment Relations Board.

Under the current system, once a case reaches the arbitration stage, the arbiter is obliged to choose either the local bargaining unit's final offer or the administration's final offer. The proposed bill operates on the idealistic assumption that giving arbiters the ability to create a middle position will somehow result in more reasonable compromised settlements. The hope is that district money will be saved. This is possible, but the overall costs will escalate to achieve that, if in fact the well intentioned legislation comes to fruition. Here is why:

- The opening proposals will most likely be more extreme and less palatable or reasonable.
- In actuality in 26 cases, including 43 decisions, 20 sided with the management proposal and 23 sided with the union.
- The number of arbitrators will increase dramatically. Currently there are only 3 to 5 arbitration cases a year. In past practice of fact finding, which ended in 1990-91, which also allowed splitting of the difference by an outside party, 80 more cases/year went to an outside party. Using the past to predict the future, it is entirely reasonable to suggest arbitration cases will rise greatly.
- The use of attorneys which will be engaged for arbitration will increase dramatically.
- Arbitration settlements will be delayed because of case load which will delay contract offerings locally.
- There is already good success with the steps of local negotiations, then mediation before going to arbitration.
- To target the public schools and AEAs only for private sector wage comparisons is discriminatory compared to the bargaining leverage of the other public sector unions.

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Education is notorious for being the object of experimentation with student methods because of the possibility of theoretical positive results. Many fail miserably. To experiment with the bargaining process of educators only is once again nothing more than an educational experiment. Perhaps it is time to go with the other public sector unions.

The above begs the questions:

- Why is this targeted exclusively for teachers and AEA employees?
- If the bill is good for those two groups, then why shouldn't the state make this effective for all public sector employees?
- With teachers being one of the rare groups that requires contracts and contract signings as well as releases within the Iowa Code, why would legislators consider experimenting with this group which could have huge repercussions in both signings and releases?

For the above stated reasons, Professional Educators is going public in resisting this proposed legislation.

To contact your legislators on this issue go to: <https://www.legis.iowa.gov/legislators>

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