

# TALB/LBUSD TENTATIVE AGREEMENT RATIFICATION INFORMATION

May 13, 2010

*The Tentative Agreement requires the approval of TALB members. The Bargaining Team and Organizing Team have worked through months of difficult negotiations. It is now up to our members to decide if this contract shall be implemented. Here are summary details and responses to frequently asked questions to help inform your decision. The complete agreement has been previously distributed via email and can be found at [www.talb.org](http://www.talb.org). Your TALB Association Site Representatives are responsible for conducting the election at your site, so please look for information from your TALB Representative on polling locations and voting information. You can also vote at the TALB office. The voting will take place on May 19 – 21. Ballots are due back from TALB Reps, by 4:30PM on Friday, May 21.*

## SUMMARY DETAILS

**Term:** 3 years, 2009-2010, 2010-2011, Reopener negotiations for 2011-2012 on compensation plus two items to begin on Feb. 1, 2011. By mutual agreement the District and the Association may reopen on compensation and evaluation as it relates to LBUSD Race to the Top grant application for 2010-2011.

**Compensation:** 2009-2010 – no changes.  
2010-2011 – 5 furlough days.  
2011-2012 – subject to reopener negotiations.

### Benefits:

- Eliminate PacifiCare HMO
- Eliminate mental health double-coverage by dropping PacifiCare Behavioral Health for Blue Shield HMO – benefits are currently covered by Blue Shield HMO.
- Combine Delta DPO and Delta Premier -- no reduction in benefits or increased costs.
- Change Pharmacy provider from Walgreens to System Rx for Blue Shield PPO and HMO. No reduction in benefits or increased member costs.
- Pro-rated employer contributions for eligible less-than-full-time unit members.
- Amend PPO plan to provide mental health and substance abuse consistent with HMO plans (improves PPO mental health and substance abuse coverage).
- Duration of Benefits: Modify language consistent with ongoing practice to require eligible employees to apply for Medicare A and B in order to receive benefits (current practice- no change in benefits).

**Calendar:** Furlough days scheduled for November 22-24, 2010, March 25, 2011, and March 28, 2011. Specialized calendars modified as necessary to reflect furlough days.

**Jobs:** Savings produced by furlough days savings and benefit changes applied to restoration of 200 TALB bargaining unit jobs at elementary, middle school, and high school levels. Jobs restored from the final district's layoff list no more than 30 days after final School Board action (approx. July 15). District agrees to provide TALB with data to verify restoration.

**Transfers:** Improved transfer language agreements.

## TENTATIVE AGREEMENT – FREQUENTLY ASKED QUESTIONS

**WILL I STILL GET MY STEP AND COLUMN INCREASE?** Yes.

**WILL WE GET DETAILED INFORMATION ON THE HEALTH BENEFIT MODIFICATIONS?** Yes, TALB will work with the District to produce a detailed advisory to assist members in any necessary changes or questions about health benefits.

**WHEN ARE THE "EFFECTIVE DAYS" FOR THE BENEFIT CHANGES?** The Delta Dental change is effective as soon as administratively possible. The change in part time benefits (prorated premiums) is effective at the start of 2010-2011. The other changes are effective January 1, 2011.

**WHAT ARE THE DELTA DENTAL CHANGES?** With the combination of the Delta Dental Premier and PPO (aka DPO) plans into one plan - PPO Plus Premier, the current Premier Plan structure will remain in place as the Out of Network benefit under the combined plan. Plan participants will always have the benefit of choosing their own dentist. If your dentist is a member of the Delta "PPO" network, then your calendar year maximum is \$2,200. If your current Dentist is not a member of the Delta "PPO" network, then your calendar year maximum is \$2,000, whether you see a Delta Premier dentist or a dentist who is not in the Delta network. Delta Premier and non Delta dentists will continue to be reimbursed at the Premier provider allowances. If your dentist is a Delta Premier provider, you will be responsible only for your portion, if any, of the Premier dentist allowance. If your dentist is not in the Delta network, you will be responsible for any amounts over the Premier allowance, just as you are under the current arrangement.

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**IF I AM IN PACIFICARE HMO, WHEN DO I HAVE TO SELECT A NEW PROVIDER?** Open enrollment is in November. At that time, PacifiCare enrollees will need to switch to Blue Shield HMO, Kaiser, or the PPO, with an effective date of January 1, 2011. The Blue Shield HMO is the closest match to PacifiCare and has a near 100% health provider match in Long Beach.

**HOW WILL MY BLUE SHIELD MENTAL HEALTH CARE CHANGE?** Pacific Behavioral Health HMO panel and the Blue Shield HMO panel are the same. So there should not be issues with the Blue Shield HMO changeover as it is the same network except for improvements resulting from the elimination of the cap on visits (50).

**HOW WILL MY PPO MENTAL HEALTH COVERAGE CHANGE?** The PPO panel is about 95% the same as the HMO panel, but it is a different panel. However, it also includes more providers than the HMO panel. Also, the PPO panel allows folks to go out of network. Unlike the HMO, folks do not pay full cost for out of network. They pay a higher deductible and co-pay...the price structure is the same as the regular health provider schedule (80/20, or 60/40 for out of network) – and replaces the sliding scale. Additionally, the PPO plan will no longer have a limit on family visits capped at 50 – this is a negotiated benefit and improves the plan as the PPO was exempt from new regulations imposed by the Mental Health Parity Act. It also includes upgraded substance abuse counseling.

**WHEN IS THE FIFTH FURLOUGH DAY FOR TRACK B?** Track B is already off on November 24, one of the planned furlough days. For that day to count as a furlough day for Track B, they will need to take off an additional day. Subject to final confirmation, that additional off track day is scheduled for April 7.

**DOES THE AGREEMENT INCLUDE THE MONTHLY 5% HEALTH BENEFIT PREMIUM CO-PAY?** No. This was dropped by the District.

**DIDN'T THE DISTRICT PROPOSE TO SAVE 200 JOBS IN EXCHANGE FOR 3 FURLOUGH DAYS?** The District's earlier position was 200 jobs for 3 furlough days *plus* the 5% health benefit premium co-pays and other assorted changes in benefits -- or roughly 12 million dollars. Their bargaining position was never 200 jobs for 3 furlough days

**WILL THE DISTRICT VERIFY THE JOB SAVINGS COMPONENT OF THE AGREEMENT?** The agreement requires that the District provide TALB with the data necessary to verify that 200 jobs at elementary, middle, and high school will be saved for the coming year as a result of this agreement. The 200 jobs saved will not come from those originally slated for reduction by the District. Per the agreement, it will be calculated from the District's final layoff resolution (which will occur around mid-June). They have 30 days after the resolution to act and are obligated to provide TALB with necessary data to verify that jobs restored are the result of the contract agreement. Of course, this is dependent upon TALB members approving the contract next week.

**WILL WE NEED TO RE-OPEN THE AGREEMENT FOR NEXT YEAR FOR ADDITIONAL SALARY OR BENEFIT CUTS?** No, the District agreed to drop this proposal, so there will be no proposals from the District to cut more in salary or benefits. The following year (2011-12) is a different story.

**WILL THE AGREEMENT PROTECT US FROM LAYOFFS IN 2011-2012?** The District projects a large operating deficit and there will likely be layoff notices again next year at this time. This agreement does not reduce the district's operating deficit and instead uses savings from the agreement to save jobs for one year.

**WILL MANAGEMENT TAKE 5 FURLOUGH DAYS NEXT YEAR?** The District says yes...but they were not willing to put it in the contract. The Bargaining Team decided not to hold up the contract on this issue, rather hold them to their promise and make this an organizing issue in the next round if they fail to uphold their end of the deal.

**SHOULD I VOTE FOR THIS TENTATIVE AGREEMENT?** The Bargaining Team recommends a "yes" vote. We will likely have a number of "no" votes on this contract from TALB members who do not believe teachers should take furlough days to pay to restore their own jobs -- that the public should do that. Alternately many TALB members will vote "yes" because they do want to save jobs with the furloughs (albeit only for one year) or because they are glad the agreement protects benefits and believe it a fair compromise in difficult times. The agreement represents a compromise for both the District and TALB. This was a very difficult contract to bargain and represents a difficult decision for TALB members. *The most important thing, regardless of how you vote, is that you vote.*

**WHAT IF THE AGREEMENT IS NOT RATIFIED?** If agreement is not ratified the terms will not go into effect (including the job savings and furlough days). The District will likely declare an impasse and may move towards an attempt to unilaterally impose terms. Things will heat up as we attempt to organize to get a contract our members will support and fend off any unilateral imposition (similar to the recent Capistrano strike).

**CAN I VOTE IF I AM NOT A TALB MEMBER?** Only TALB members can vote on the Tentative Agreement and attend the General Membership meeting.

***THANK-YOU FOR PARTICIPATING IN THIS ELECTION. YOU MAKE TALB A STRONGER VOICE FOR TEACHERS, NURSES, AND LIBRARIANS!***

**STAY UNITED AND STAY INFORMED. If you have any questions contact your TALB Association Representative, call TALB at 562-426-6433, or go to [www.talb.org](http://www.talb.org)**