

# NORTH DAKOTA SCHOOL BOARDS ASSOCIATION

---

THE 2019 NEGOTIATIONS SEMINAR

# NORTH DAKOTA EDUCATION FACT FINDING COMMISSION (NDEFFC)

---

- Appointed Commissioners
  - Dean Rummel, Chairman
    - Appointed by Superintendent Kirsten Baesler, term expires 6/30/2020
  - Jerry Hieb, Commission Member
    - Appointed by Governor Doug Burgum, term expires 6/30/2019
  - Barb Evanson, Commission Member
    - Appointed by Attorney General Wayne Stenehjem, term expires 6/30/2021

# NDEFFC – ND CENTURY CODE

---

- NDCC Chapter 15.1-16-02
  - Establishes 3 year staggered terms for the Commissioners
  - Quorum is 2 Commissioners
  - Compensation is \$177 per day (same as Legislator's daily compensation)
- NDCC Chapter 15.1-16-05
  - Power to adopt rules
  - Specific legal power to:
    - Issue subpoenas
    - Discovery
    - Examine witnesses and make record

# NDEFFC – PURPOSE OF THE COMMISSION

---

- To provide school boards and teacher education associations with a pathway to impasse resolution that is:
  - Reasonable
  - Rational
  - Responsible
  - Affordable

# NDEFFC – IMPASSE PROCESS

---

- Declaration of Impasse
  - NDCC 15.1-16-14 (1.(b)) An impasse exists if the board and education association both agree that an impasse exists.
  - Then e-mail the NDEFFC Chairman that an impasse was agreed to with contact information for the school board and education association presidents.
  - The process has a 40 day limit from notification of the impasse to issuance of the commission's recommendations.
    - Deadline will be established for pre-hearing reports from the school board and education association and for the exchange of the reports between the parties.
    - Set a hearing date, place and time.
  - Send the pre-payment of \$1,750 from both parties.
    - NDCC 15.1-16-06 “parties shall share the cost equally”

# NDEFFC – PRE-HEARING REPORTS

---

- Education Association and School Board each provide a report to the three Commissioners.
  - Reports include:
    - Position papers
    - Unresolved issues
    - Tentatively agreed issues
    - Current contract, earnings, benefits, and teacher placement
    - Budget information, historical mill levies, and ending fund balances
    - Minutes of the negotiations
    - Policies, contracts, benefit plans that apply

# NDEFFC – THE HEARING

---

- Open public hearing – can be recorded- cannot interrupt the process
- Required attendance – President of the EA & SB, negotiators, administration
- The Hearing Agenda
  - Opening remarks and ground rules by NDEFFC Chairman
  - Opening statements – by each appointed spokesperson(s)
  - Justification – by each party
  - Commission will ask questions to clarify and focus on unresolved issues
  - Public Comments – anyone in the audience can address the Commission
  - Final comments and establish a timeline

# NDEFFC – THE COMMISSION REPORT

---

- Report is issued before the 40 day deadline per NDCC
- Success is when both parties might not like what the Commission recommends
- Recommendations are not binding
- Commission requires that both parties meet at least once and take action within 20 calendar days of the issuance of the report
- Options are to adopt the recommendations, fine tune them or allow the 20 days to lapse
- If negotiations are not completed in the 20 day time limit the report is published in the local newspaper and the cost is shared equally between the school board and education association
- That would then conclude the Commission's involvement



# NDEFFC – HEARING HISTORY

2013	2014	2015	2016	2017	2018
Dickinson	East Fairview	Wishek		Rolla (Mt. Pleasant)	Minot
Turtle Lake/Mercer	Stanley	Velva		Dunseith	
Wishek	Zeeland	Warwick		Grand Forks	
Edgeley	Carson	North Barnes County		Williston	
White Shield				Turtle Lake-Mercer	
Bottineau				Fargo	
Jamestown				Mapleton	
Williston				Jamestown	
Valley City				Bismarck	
9	4	4	0	9	1

# NDEFFC - EXPECTATIONS

---

- Mutual respect for each other
- Professional in behavior, no personal attacks
- Be fair – no back pedaling is allowed
- The art of compromise
- Provide accurate and timely information
- We are all here for the students/children

# MY PERSPECTIVE - OPPORTUNITY

---

- Local Control – Declining
  - Funding
- Issues to Consider
  - Union/Management Committee
  - Jobs in Education Need to Be Promoted
  - Workplace Safety Training for Schools
  - Develop Statewide Standard for Paid Time Off
  - Compress & Standardize the Pay Matrix

# NDEFFC – CONTACT INFORMATION

---

- Dean Rummel, Chairman
  - E-mail: [drummel@ndsupernet.com](mailto:drummel@ndsupernet.com)
  - Cell Phone: (701) 290-0593
  - Address: 835 Senior Ave, Dickinson, ND 58601-3755
- Jerry Hieb
  - E-mail: [jerryhieb@yahoo.com](mailto:jerryhieb@yahoo.com)
- Barb Evanson
  - E-mail: [barbevanson@bis.midco.net](mailto:barbevanson@bis.midco.net)