



**CONFIDENTIAL ATTORNEY-CLIENT COMMUNICATION  
MEMORANDUM**

**TO:** Members, Stamford Board of Finance

**Cc:** Members, Stamford Board of Education,  
Dr. Tamu Lucero, Christopher Soules, Ryan Fealey; Cindy Grafstein,  
Kevin McCarthy, Thomas McIntosh, Al Cava, Ana Gonzalez

**FROM:** Thomas Mooney

**RE:** Summary of Tentative Agreement Reached with the Stamford Board of Education  
Employees Association (Custodian and Maintenance Workers)

**DATE:** November 28, 2022

On October 13, 2022, the Board of Education Negotiations Committee reached a tentative agreement with the Stamford Board of Education Employees Association - Custodians and Maintenance Workers on a new four-year collective bargaining agreement, effective July 1, 2021. In accordance with **Section C6-20-7(c)** of the City Charter, the Board of Education must now present the tentative agreement to the Board of Finance and request “an advisory opinion to the Board of Education of the total cost and potential long-term burden of the proposed agreements.” The Board hereby provides the following summary of the terms of the tentative agreement.

The City and the Board of Education are joint employers under this collective bargaining agreement, and at various times the City and the Board of Education have each taken the lead in negotiations. Given its responsibility for the costs incurred under this contract, the Board of Education took the lead in these negotiations, and the City participated in the negotiations because it is responsible for the pension benefits that some members of the bargaining unit continue to receive. Jackie Heftman, Andy George, Fritz Chery, Chris Soules, Cindy Grafstein, Kevin McCarthy, Thomas McIntosh and I represented the Board of Education, and Al Cava and Ana Gonzalez represented the City in these negotiations.

The Board of Education commenced negotiations with the Association last February. The negotiations were protracted. After a number of negotiation sessions, the parties participated in mediation on August 3, but the parties remained at impasse at the end of mediation. After a number of informal communications before commencing the arbitration process, the two negotiation committees met face-to-face on October 13 and reached this comprehensive tentative agreement.

The focus of these negotiations was on the contract language. The current agreement severely limits the Board’s ability to assign work to substitutes, and it requires call-in minimums

(typically at overtime rates) in a number of situations. Given the costs of overtime, the Board of Education made changing these and other contract provisions to operate more efficiently a priority in these negotiations. Ultimately, the parties reached a tentative agreement on a new four-year contract (with the first year retroactive), the terms of which are as follows:

I. Salary:

- 2021-2022: general wage increase of 2.5% (retroactive)
- 2022-2023: general wage increase of 4.0% (partially retroactive)
- 2023-2024: general wage increase of 4.0%
- 2024-2025: general wage increase of 4.0%

For the further information of the Board of Finance, I attach the cost analysis prepared by Ryan Fealey.

II. Insurance:

There were no changes in the insurance provisions. Custodians currently participate in the State Partnership Plan, and they pay 18% in premium cost sharing.

III. Language:

The following significant changes were made in the contract language:

- Substitutes. The current agreement provides that substitutes must be members of the bargaining unit. The revised contract language will permit the Board to employ substitutes from outside the bargaining unit to fill vacancies resulting from sick leave in excess of three days, other extended leave, or from employee vacation greater than one day.
- Call-in pay. The current agreement provides that custodians called in to work before the scheduled start to their shift must be paid a minimum of two hours, even if the call-in is immediately before the scheduled start. The new contract provides that there will be no call-in pay if the call-in is contiguous with the start of the custodian's regular shift.
- Assignment to Board of Education and other functions. The current contract provides that custodians receive a minimum of three hours when called in to cover a Board of Education or other outside function, except when the function is immediately after the employee's shift. The new contract provides that the three-hour minimum does not apply when the call-in is contiguous (before or after) the employee's shift.
- Emergency vacation. The current contract permits custodians to take up to fifteen "emergency" vacation days, *i.e.*, vacation without prior administrative approval at any time for up to fifteen days per year, and such days can be used in any increment. The new contract limits the number of "emergency" vacation days to ten, and requires that such "emergency" vacation days be taken only in full-day increments.

- Electronic notification of absences. All leave requests will now be made through an electronic system as designated by the Board.
- Limitation on vacation leave. Under the new contract, no more than fifty percent of unit members in any school may be on vacation at any time.
- Disability plan. Given the number of custodians who have been hired since the defined benefit pension plan was terminated for new employees in 2011, the Union proposed a new defined benefit pension plan for those employees. Ultimately, the Union withdrew its proposal for a new pension plan. However, because disability benefits are only available now to custodians participating in the defined-benefit pension plan, the parties agreed to institute a disability plan for the other custodians on a 50/50 contribution basis on such other terms as may be mutually agreed.

In addition to these changes, the parties agreed on a number of technical changes, including:

- Clarifying the process for tradesworker overtime assignments.
- Clarifying when custodians assigned higher responsibilities on an acting basis will be eligible for overtime at the higher rate.
- Clarifying that various changes in benefits occurred in 2011.
- Changing the provisions related to duration.

Recent settlements under MERA have been in the 2.5% to 3% range, and given changes in the cost of living, it is reasonable to presume that settlements for this year (2022-2023) and following years will be around 3%. The Board of Education believes that the changes to the provisions on substitutes and call-in will reduce future costs so as to justify the somewhat higher than average settlement amounts for the last three years of the contract.

The Board of Education thanks the Board of Finance for its consideration of this tentative agreement. Please let the Board know if any other information would be helpful in your consideration of this proposed settlement. Thank you.