

# HOLLAND TOWNSHIP

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## FACT FINDERS REPORT 2011

Fact Finder: John Biondi

HOLLAND TOWNSHIP BOARD OF EDUCATION  
HOLLAND TOWNSHIP EDUCATION ASSOCIATION  
NEGOTIATIONS UPDATE  
JOINT RELEASE OF STATE FACT-FINDER'S REPORT

THE HOLLAND TOWNSHIP BOARD OF EDUCATION AND THE HOLLAND TOWNSHIP EDUCATION ASSOCIATION ANNOUNCE THE RELEASE OF THE STATE APPOINTED FACT-FINDER'S REPORT.

THE CONTRACT BETWEEN THE HTEA AND THE HTBOE EXPIRED ON JUNE 30, 2010. DURING THAT TIME THE DISTRICT HAS BEEN OPERATING UNDER THE TERMS AND CONDITIONS OF THE EXPIRED CONTRACT.

THE HTEA AND THE HTBOE HAVE BEEN NEGOTIATING SINCE JANUARY 2010. BOTH GROUPS MUTUALLY AGREED TO MOVE TO THE PROCESS OF MEDIATION IN OCTOBER 2010. AFTER THREE SESSIONS WITH THE STATE APPOINTED MEDIATOR, THE MEDIATOR DIRECTED THE DISTRICT TO GO THROUGH THE FACT-FINDING PROCESS.

THE HTEA AND THE HTBOE PRESENTED THEIR RESPECTIVE POSITIONS TO THE FACT-FINDER ON WEDNESDAY, SEPTEMBER 14, 2011. THE FACT-FINDER REVIEWED AND ANALYZED THE DATA AND INFORMATION PROVIDED BY THE HTEA AND THE HTBOE AND SUBMITTED A REPORT TO THE HTBOE AND THE HTEA ON SEPTEMBER 29, 2011. THE REPORT INCLUDED HIS RECOMMENDATIONS FOR THE TERMS AND CONDITIONS FOR SETTLEMENT OF THE CONTRACT.

CURRENTLY, BOTH THE HTEA AND HTBOE NEGOTIATIONS TEAMS ARE REVIEWING THE FACT-FINDERS REPORT. AFTER CAREFUL ANALYSIS AND DISCUSSION WITH THEIR RESPECTIVE MEMBERS BOTH THE HTBOE AND THE HTEA WILL MAKE DECISIONS ON WHETHER TO ACCEPT OR REJECT THE FACT-FINDERS REPORT.

FORMAL ACTION ON THE FACT FINDERS REPORT WILL BE TAKEN AT THE TUESDAY, OCTOBER 18, 2011, BOARD OF EDUCATION MEETING.

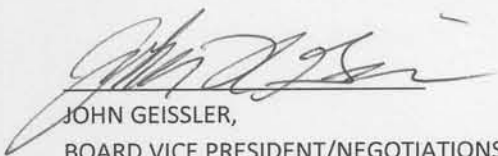
ATTACHED IS THE FULL FACT-FINDERS REPORT FOR YOUR REVIEW.



LORRAINE SCHEIBENER,  
BOARD PRESIDENT/NEGOTIATIONS CHAIR



PAM LAFEVRE,  
HTEA NEGOTIATIONS CHAIR



JOHN GEISSLER,  
BOARD VICE PRESIDENT/NEGOTIATIONS TEAM MEMBER



CHRIS REGAN,  
HTEA PRESIDENT/NEGOTIATIONS TEAM MEMBER



## **Overview**

The Holland Township Board of Education (Board) and the Holland Township Education Association (Association) are parties to a three year Collective Bargaining Agreement (Agreement) running through June 30, 2010. The Agreement covers the following bargaining unit personnel: teachers, support staff personnel under contract, including the classroom aides, clerks, secretaries and custodians. There is a list of excluded personnel.

The parties commenced negotiations for a successor Agreement in December 2009. The negotiations were not successful, but did produce numerous tentative resolutions on a number of issues, which are to be incorporated in this fact-finding report. However, the parties were not able to bridge the last hurdle to produce a final agreement on the one remaining issue, salary. The undersigned was appointed fact-finder in accordance with NJAC 19:12-4.2. A meeting was held on May 10, 2011 in an attempt at further mediation to see if a settlement might be reached. Unfortunately, no settlement was forthcoming. Thus, a formal fact-finding session was scheduled for September 14, 2011. Both parties

presented voluminous exhibits in support of their position. This report is the result of those exhibits.

Fact-finding is not a judicial proceeding because there is no right and wrong to be determined. The fact-finder hopes to leave the parties with a recommendation, which will result in a settlement.

To be involved in any aspect of labor relations one must be an optimist. After all, there are countless negotiations which occur each and every year culminating in a settlement without any work stoppage! The worldwide economy cannot be disregarded when structuring a settlement; the climate in New Jersey must also be considered as well; but the situation in Hunterdon County and in particular Holland Township must be the driving force that must be used. It is the rare negotiation which occurs when all the financial stars, so to speak, are aligned to bring about the perfect climate for an Agreement to be reached. Recession, inflation, deflation, high unemployment, mixed messages from the community are always a backdrop. That being said, I will give the parties my best thoughts to bring about a three (3) year Agreement.

## BACKGROUND

The Township of Holland, using the parties' documents has a population of approximately 5,124 as per the 2000 year census. It has a median household income of approximately \$68, 083. The school district's district factor group (DFG) is an FG. This puts Holland Township in the mid-range of the county socioeconomically. The district plan is Pre-K-8 and the enrollment for the most recent year was 655.

As noted, the parties have been negotiating for an extended period of time. Based upon the documents submitted to the fact-finder, both sides are very much wed to their respective positions and provide ample documentation to support same.

The only issue upon which I will make a recommendation is salary, the parties having resolved all other outstanding issues. The Association represents a diverse bargaining unit, but states all unit members within their classification receive the same percentage increase. Since the Board made no presentation about the different groups receiving different percentages, I recommend that whatever percentage I recommend for the certificated employees also pertain to the other categories as well.

Both sides presented documents about settlements for teachers in Hunterdon County as well as throughout the State of New Jersey. The range of settlements for the period covering the proposed three (3) year Agreement runs from a wage freeze to over 3%, which proves that all bargaining is local.

The Board has not been very successful in getting its budgets passed by the electorate, having passed only one in the past six years. Not an admirable record. Despite the budget defeats, the elected town officials on average reduced the district's budget by approximately 0.71%, and in one year chose not to reduce it at all. Certainly, they felt the Board was spending the taxpayer's money prudently! Having had very limited success in getting their budgets passed, the Board is very leery of being deemed as profligate in its dealings with its employees, trying not to give the community any additional reasons to vote down the budget. It is duly noted that reductions in the staff at all levels have occurred over the past two years, the biggest one happening during the 2010-2011 year when the state reduced its aid to the district by \$511,909! Certainly, the Board is walking a fine line between operating a school district that provides a thorough and efficient education and being sympathetic to the taxpayer.

The Association on the other hand is trying to maintain a certain standard of living for its members. The interference from the state has made its job that much harder. Increased pension contributions and payment of health care premiums does not make it any easier. Their position in the county, while never in the upper echelon, would fall further back if they were to agree to the Board's salary proposals. They stress the length of time it takes a new employee to achieve a \$50,000 salary as being unduly long. However both parties are responsible for the construction of the salary guide, it is not the Board's fault solely. However, the only remedy to "fixing" salary guide is money and that is where the Board comes in. I am sympathetic about the Association's argument on comparability within the county and the DFG it is in. Some associations have bargained higher and lower percentages, which may be a reflection on average salaries which can produce greater dollar amounts even though the percentages may be lower and vice versa.

In conclusion, the parties are looking at a 16 ounce glass with 8 ounces of liquid in it as either half-full or half-empty. In my opinion, it is a glass with 8 ounces of liquid!

Not to continue the suspense, I am recommending the following:

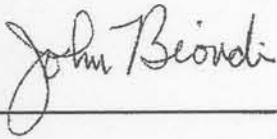
2010-2011            2.5%

2011-2012            2.2%

2012-2013            2.2%

I do not recommend any other monetary contribution by the Board to a separate account for the staff.

Respectfully submitted by:




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John Biondi  
Fact-Finder  
September 27, 2011

STATE OF NEW JERSEY

On this 27<sup>th</sup> day of September, before me came John Biondi, to me known and known to be the individual who executed the foregoing arbitration award and he duly acknowledged to me that he executed the same.

  
Joanne M. Cannon

**JOANNE M. CANNON  
NOTARY PUBLIC OF NEW JERSEY  
I.D. # 2337840  
My Commission Expires 12/31/2015**