



# Pomona Unified Fiscal Picture (Part 3)

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# At Previous Town Hall Meetings We Have Discussed...

- The Collective Bargaining Process

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- Pomona Unified's Financial Picture (September)

- Growing Reserves (but that's one-time money)
- Funded COLA from the state this year is 5.07%  
(two years worth as the 20-21 COLA was not funded that year)
- Declining Enrollment/Attendance (which has a negative impact revenue growth)

- Compensation Comparisons with Other Similar Districts (October)

- Pomona Unified ranks in the bottom third among its comparison districts in both salary & health benefit comparisons

## Pomona's Enrollment

2013-14	26,264
2014-15	25,311
2015-16	24,716
2016-17	24,314
2017-18	23,741
2018-19	23,185
2019-20	22,707
2020-21	22,388
2021-22	21,915

# This Evening...

- The “Unknown” of the 2022-23 Budget Will Impact Current Bargaining
- Determining A Rational Settlement
- Impasse & Factfinding

# 2022-23 State Budget Implications/Unknowns

- The January budget proposal expected to be COLA 5.33% for 2022-23 **POSITIVE**
  - By February 1, the Legislative Analyst Office had revised its estimate to 6.17%
  - The COLA percentage will be finalized in April and will be part of the Governor's revised budget, which will be released in mid-May.
- The other major impact on school district budgets will be how Average Daily Attendance (ADA) will count in the revenue calculation. **NEGATIVE**
  - Districts in declining enrollment are funded at their prior year's ADA, but attendance was not reported by districts in 2020-21, so those districts are still being funded on ADA from 2019-20. They would take a "double-hit" next year (the impact of two significant declines affecting the funding).
- The 2022-23 State Budget will not be finished until mid- to late- June.

# Determining A Rational Settlement

- Evaluate District Financial Health
- Estimate New Money
- Cost Out Proposals
- Comparability
- Assess Association's Willingness to Organize

What happens if the parties are unable to reach resolution in negotiations?

# Impasse under EERA

- What does it mean to reach impasse?
  - A bargaining **impasse** occurs when the two sides negotiating an agreement are unable to reach an agreement and become deadlocked.
- Under EERA, either the District or the Association may declare impasse. When either party declares impasse, the matter shall be referred to the Public Employment Relation Board and a mediator may be appointed for the purpose of assisting the parties mutually resolving their differences.

# Mediation under EERA

- What is mediation?
  - A process by which the parties utilize a “third-party” neutral to try to reconcile their differences and resolve the controversy on terms which are mutually acceptable.
  - This service provided through the Public Employment Relations Board at no cost to either the District or Association.
  - This process is “off-the-record” meant to allow the parties to explore “last best offer” proposals not previously committed “on the record” on the table.
- What Happens if Mediation Fails?



## Fact-Finding

- What is Fact-Finding?
  - A process by which the parties argue their positions before a panel of 3 fact-finders, one selected by the Public Employment Relations Board, one selected by the District, and one selected by the Association.

# What do the factfinders consider?

- In arriving at their findings and recommendations, the factfinders shall consider, weight, and be guided by the following criteria:
  - Applicable state and federal laws
  - Stipulations of the parties
  - Interests and welfare of the public and the financial ability of the District
  - Comparisons between the wages, hours, and conditions of employment of the employees with employees in comparable Districts and communities.
  - Cost of Living
  - The overall compensation currently received by the employees, stability of employment, and all other benefits received.
  - Any other facts normally taken into consideration in such matters

# The Findings of Fact

- Findings are ADVISORY only
  - Findings and recommendations are submitted to the parties in writing
  - The District shall make such findings and recommendations public within 10 days after receipt.

• THEN WHAT!?!

# Impasse Procedure

