

# Business Manager's Role in Negotiations

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## Business Manager's Role in Negotiations

- Welcome
  - ❖ Introduction
  - ❖ Experience as a superintendent
  - ❖ My role in negotiations
  - ❖ Expectations of this class

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## Business Manager's Role in Negotiations

- Beginning stages of Negotiations
  - ❖ NDSBA Information on [Negotiations](#)
  - ❖ Intent to [negotiate](#)
  - ❖ Executive session to discuss negotiation strategy – [Exhibit A](#)

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**Rules for Executive Session**

- Must read [Exhibit A](#) verbatim
- Must audio tape the meeting
- Must take notes of the meeting
- Keep the notes and audio tape in a secure place
- Ask the board what your role should be
- In most cases, you will provide information to teachers, if requested

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Business Manager’s Role in Negotiations

**Forecasting Revenue for the District**

- ❖ Local – [Exhibit B](#)

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Business Manager’s Role in Negotiations

- ❖ State Funding Projections
  - 2019 – 2020 Funding Estimate – [Exhibit Ca](#) and [Exhibit Cb](#)
  - Past State Funding Payments – [Exhibit D](#)

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- ❖ Federal Funding Projections – Take several years and average the increase/decrease.
- ❖ Create a Revenue Budget using these figures – [Exhibit Da](#)

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Business Manager’s Role in Negotiations

**Discuss in Executive Session**

- What type of salary/benefit offer you are willing to accept.
- What changes the school board or administration would you like to change in the negotiated agreement.
- I believe it is always best to bring items to negotiations, the but the board should NOT bring a salary proposal, only counter offers.
- Negotiations Begin!
  - Agree to Ground Rules – [Exhibit E](#)

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Business Manager’s Role in Negotiations

- In many cases, school board members and teacher representatives will have to return to their membership for further instructions – [Exhibit F](#)
- Be prepared for anything!
  - Everything can get out of control except you!
  - Do not react to proposals from teachers, regardless how much they may cost the district or how outrageous you may feel they are.

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Business Manager’s Role in Negotiations

- They may ask to audio tape the meetings.
- They may bring ND United representatives to represent them.
- Caucus – This is a break in negotiations that either side can request.
  - This is where you will tell board members your true feelings on a proposal.
  - You can give them positives and negatives of proposals from the teachers.
  - You can give board members advice on how to respond to proposals.

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Business Manager’s Role in Negotiations

- Salary Proposals. Be prepared to determine the total amount of any salary/benefit increase.
  - Create a spreadsheet showing total cost of proposals.
    - Salary Increase – [Exhibit G](#)
    - Extra-Curricular Increase – [Exhibit H](#)
    - Other Proposals.

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Business Manager’s Role in Negotiations

- All proposals have a cost and must be included in the “total package cost”.
- For example, if teachers request an additional personal day, you must:
  - Calculate your substitute pay x number of teachers = cost
  - Cost x TFFR & FICA = Total cost

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### Business Manager’s Role in Negotiations

- Place a value on teachers not being in the classroom
- When you get the cost of a “total package”, enter the costs into the expenditure budget – [Exhibit I](#)
- Be prepared for teachers to “Cherry Pick” the good out of other schools negotiated agreement.
- The school board can do the same thing at: <https://www.ndunited.org/for-members-2/collective-bargaining/2021-23-negotiated-agreements/>

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### Business Manager’s Role in Negotiations

- Conclusion of Negotiations.
  - The Business Manager will make the agreed upon changes in the Negotiated agreement, with changes marked in **red and underlined**.
  - The teacher lead negotiator will sign it, and the school board lead negotiator will sign it AFTER the school board approves it with a motion and board vote.

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### Business Manager’s Role in Negotiations

- UNLESS..... The school board and the teachers cannot come to an agreement.
- Then the school board and the teachers will enter into IMPASSE
- NDSBA Information on [Impasse](#)
  - I went through Impasse for the first and only time in 2013.
  - It is important that you remain as professional as possible and not take it personally.

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### Business Manager’s Role in Negotiations

- There may be people in the community that will try and get you to say damaging things about the teachers. Don't fall into this trap.
- The public may show up at the public Impasse hearing and speak. They have the right to do this.
- A couple of weeks after the Impasse Hearing, the Fact Finding Commission will release their ruling – [Exhibit J](#)
- The school board does NOT have to follow the recommendation of the Fact Finding Commission.

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### Business Manager’s Role in Negotiations

- If the school board decides not to follow the Fact Finding Commission’s recommendation;
  - If you are at impasse after the 20-day limit, our Commission report will be published in the local press, and as part of the published material the Chairman of the Commission will explain to the public why the negotiations failed, and who, in his opinion, compromised the possibility for agreement.
- The school board can then issue contracts “unilaterally”. This means that the school board will only put what they want in the negotiated agreement, and teachers either have to sign them as is or not sign them and not have a job.

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### Business Manager’s Role in Negotiations

- Other;
  - One line negotiated agreement: <https://www.ndunited.org/wp-content/uploads/2018/10/Kulm-2018-2019.pdf>
  - You aren't required to negotiate with non-certified staff. You can meet with them to get their input, but do not refer to it as “negotiating”.
  - If you need assistance, don't hesitate to call someone.
- Questions???

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