## PITTSFIELD FEDERATION OF SCHOOL EMPLOYEES LOCAL 1315



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Pittsfield, Massachusetts - The Pittsfield Federation of School Employees (PFSE) are a union of 350+ Bus Drivers and Attendants, Cafeteria Workers, Clerical/Secretarial Employees, Custodians, and Paraprofessionals committed to the promise of quality public education for all the children of Pittsfield. We are a "Union of Professionals", and we work hard to serve our students, the City of Pittsfield, and our members. We fight for public schools that are clean, safe, welcoming places for teaching and learning, and we fight to ensure that teachers and school support staff are well-prepared, are supported, have manageable class sizes and workloads, and have time to collaborate to meet the needs of every child.

Paraprofessionals employed by the Pittsfield Public Schools (PPS) educate Pittsfield's special needs students. Paraprofessionals educate children in three types of settings: in special (substantially separate) programs where the special needs students are separate from the general student population, in integrated classrooms in grades 1-12 where Paraprofessionals work primarily work with the special needs children, and in kindergarten classrooms, in which special needs children have not yet qualified or been identified for an Individualized Education Program (IEP). The PFSE represents all Paraprofessionals employed by the PPS, and there are currently 165 Paraprofessionals actively employed by the District. In addition, in response to an information request filed by the Union we learned:

- The PPS currently has 58 unfilled vacancies in the Paraprofessional unit, for a total of 223 Paraprofessional positions budgeted for FY2024; and
- Since 2021 the PPS has hired 91 Paraprofessionals, and of those new hires 47 have left employment.

  The District retention rate for Paraprofessionals currently stands at 48.35%, with more than 1 out of every 2 Paraprofessionals hired since 2021 subsequently leaving employment.

The PPS has both a duty and a responsibility to properly staff classrooms with Paraprofessionals and to pay these employees adequate wages to minimize turnover so that special needs students receive all the services identified in their IEP. The PPS has a long-term problem attracting and retaining qualified applicants for Paraprofessional positions. Prior to settling their most recent Paraprofessional contracts the PPS had a long history of hiring and paying Paraprofessional employees' hourly wages that were less than the state minimum. After dragging out negotiations and mediation for over 18 months the PPS finally settled new agreements with the PFSE in October, 2022 which raised the entry rates of pay on the salary schedule to an amount above the Massachusetts minimum wage.

In October 2022 while engaged in mediation for a new contract with the PFSE the PPS entered into an agreement with a private staffing company (Blazerworks out of Peachtree Corners, GA) to help them fill approximately 46 unfilled Paraprofessional vacancies for the 2022-2023 school year. The PPS entered into the agreement with Blazerworks without putting this request to provide public services out for a competitive bid, and they failed to notify the PFSE of their decision to sub-contract union work or bargain over that decision as required by state law. The PFSE has filed a prohibited practice complaint (unfair labor practice charge) with the Massachusetts Department of Labor Relations (DLR), the state Labor Board, to address this matter and litigation is on-going. In their response to the charge filed with the DLR the District admitted to violating the law, and the Union is confident that the DLR will eventually find that the PPS violated the law and order them to cease the practice of sub-contracting Paraprofessional jobs. The lack of transparency surrounding this issue was apparent at a recent televised School Committee Meeting where a member of the committee asked about the sub-contracting of Paraprofessional work but was summarily silenced by the Superintendent.

It's our understanding that most (not all) members of the School Committee had no idea that the PPS had entered into this agreement with Blazeworks, and that their contract with the staffing company requires the PPS to pay an hourly rate of \$50.00/hour to Blazeworks for each hour worked by their employees providing Paraprofessional services to the District. According to representatives of the District their agreement with Blazeworks also requires the PPS to pay the staffing company a fine (fee) of \$20,000 for any employee who quits Blazeworks to work directly for the PPS.

Our information indicates that most of the contracted employees either live in Pittsfield, Berkshire County, or just over the line in New York state, but they are not paid anywhere near \$50.00/hour. In most cases our conversation with these employees reveals that they're being paid between \$20.00/hour to \$27.00/hour for each hour they work. The total FY2023 bill for services provided by these 46 contracted employees, according to data provided to the Union by the PPS, is just over \$2 million. Of this amount half of that money (\$1 million) paid by the PPS goes directly to the employees of Blazeworks, so it ends up in the pockets of local people which generates economic activity that benefits the City and/or Berkshire County. The rest of the money spent by the PPS (another \$1 million) ends up in the corporate pockets of Blazeworks and provides no economic benefit locally.

As part of the DLR process to attempt to resolve the prohibited practice complaint (unfair labor practice charge) the parties agreed to seek a solution through mediation. At mediation the Union proposed raising the hourly rates of all Paraprofessionals by \$3.00/hour across the board. The cost of the union proposal is \$952,321.50 above and beyond what is currently budgeted for 223 Paraprofessional positions, and the Union's proposal would increase the FY2024 hourly rates for Paraprofessionals from \$17.00/hour to \$20.00/hour at the low end of the scale, and from \$24.05/hour to \$27.05/hour at the high end of the scale. These revised rates would make the hourly rates paid by the PPS to their employees directly competitive with the rates being paid by Blazeworks to their employees. The District countered by saying they wanted to spend money on aggressive advertising and increase the rates of Paraprofessionals by \$1.00/hour. The PPS also stated that they would continue to contract with Blazeworks to fill Paraprofessional vacancies for FY2024. The cost of filling the current 58 open positions though Blazeworks for FY2024 is \$4,445,700.00.

The PPS are beneficiaries of huge increases in state (Chapter 70) funding because of the Student Opportunity Act. In FY2022, FY2023, and FY2024 state aid to the PPS has increased by \$1.5 million, \$4.6 million, and \$6.6 million respectively. This is not an issue of funding, or the ability of the PPS to pay to properly staff their classrooms with Paraprofessionals. It is an issue of willingness to do the right thing for staff, students and families of the PPS.

Finally, the PPS use of state funds (taxpayer dollars) to contract out Paraprofessional jobs through a staffing agency is an insult to all the hard-working Paraprofessionals who work for the PPS and struggle each day to support their families and make-ends-meet. **What the PPS is engaged in is "Union Busting"**, and it needs to stop!