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City and Teachers' Union Near Contract Mediation

By **JENNIFER MEDINA**

The Bloomberg administration is seeking significant changes in the city's next contract with teachers, including a 50 percent cut in sick days, the ability to tie teacher pay more closely to performance and the power to lay off teachers whose classroom jobs have been eliminated.

The city's demands, laid out in a document released this week, echo many of the goals the mayor has pushed. But negotiations over the contract are now heading for arbitration and on Wednesday, the mayor seemed to tamp down expectations that major changes were on the horizon.

"I would never use the word 'demand,'" Mayor **Michael R. Bloomberg** said during a news conference in the Bronx, saying he did not want to negotiate in public. "You will come out of this with an agreement down the road that hopefully both sides can feel, well, we did as well as we could, given the situation."

The city's most recent contract with the teachers expired in October. The state's **Public Employee Relations Board** agreed this week that negotiations were at an impasse and assigned a mediator to work with the city and the union. While the labor board's suggestions are not binding, the city and union could use them as a road map for an agreement, as they did in 2005.

The document laying out the city's wishes is considered a starting point with broad goals. It was included in a complaint the union filed with the labor relations board on Monday and circulated by the **Education Department**.

In the past the city has been able to push through major changes only when they were coupled with significant salary increases. Most of the city's unions have received annual raises of 4 percent in their latest contracts. But last month, because of budget constraints, the mayor said he would propose limiting raises for teachers to 2 percent a year, and only for the first \$70,000 of their salaries.

Michael Mulgrew, the president of the **United Federation of Teachers**, balked. "It shows a complete lack of any educational vision whatsoever," he said in an interview on Wednesday. "It's always the same thing. What can we do to blame, blame, blame and not what should be done to make things better."

The three-page document outlining the city's proposals gives a glimpse of some of its priorities, like higher salaries in subjects with teacher shortages and in hard-to-staff schools, as well as for those who "have the proven ability to positively impact student performance."

The teachers' union generally opposes merit-based pay, but agreed several years ago to allow the city to give bonuses to schools that perform well, with teachers at the schools deciding how the bonuses are distributed.

The Bloomberg administration wants to reduce the number of sick days teachers receive to 5 from 10. It also wants to allow principals to use performance as a factor in deciding which teachers to let go when their budgets are cut.

Those decisions are now based primarily on seniority, and the teachers who are let go are placed in the so-called Absent Teacher Reserve pool, where they continue to draw full salaries even if they have not found a permanent position at another school. The city now pays more than \$100 million a year for such teachers, but under the city's proposal the teachers would have just four months to find a position before they would be laid off.

And the city would stop paying teachers facing charges of incompetence or misconduct. These teachers currently earn full pay but are assigned to so-called rubber rooms, where they essentially do no work while their cases are litigated. Any teachers who are eventually cleared of charges would receive back pay, with a 50 percent bonus tacked on.

In its own outline of contract goals, the union asked for a "substantial salary increase" in each year of the agreement, but did not specify further.

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