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# Collective Bargaining and Early Childhood Educators: Expanded rights for the early education workforce

MNAFEE Annual Conference

April 11, 2024

10:00 -11:30 am & 3:15-4:45 pm

# Education Minnesota Panelists

Adam Janiak, Negotiations Specialist

Andrea Cecconi, Negotiations & Research Specialist

Meg Luger-Nikolai, Attorney

# Overview



Introductions and initial questions



Legislative changes impacting the early education workforce



Collective bargaining and organizing options



What is “normal” in your district and how can we change it?



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# Introductions & Questions

Where are you from?

What work do you do?

What questions do you bring with you?



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# Legislative changes impacting the early education workforce

Meg Luger-Nikolai



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# Early education workers are now in the licensed teacher bargaining unit

Early education workers are now in the teacher's unit as of July 1, 2023, unless already organized, then they had a choice of whether to join or stay in a separate unit.



This is an amendment to the Public Employment Labor Relations Act (PELRA), MN statutes 179.03, subd. 18

The definition for early education in the law is anyone working...“in a position creating and delivering instruction to children in a preschool, school readiness, school readiness plus, or prekindergarten program or other school district or charter school-based early education program.”



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## Some additional specifics on PreK teachers

- Some PreK teachers were already in a separate, non-licensed educator bargaining unit. It is not our intent to file unit clarification petitions where PreK staff are already represented by another union.
- Some PreK teachers in School Readiness Plus programs will have continuing contract protections under MN statutes 122A.40.
  - Lead teachers in SRP programs where the STATE requires a license are now covered by continuing contract provisions.
  - PreK teachers covered by 122A.41 in cities of the first class (Minneapolis, St. Paul, Duluth and Rochester) will have tenure protections owing to differences in the statutory language between the two otherwise similar statutes.

# Licensure requirements for early education workers

- All school-based early learning programs will require teachers to hold a license by 2028.
- Anyone who has been teaching in a program for five or more years prior to July 1, 2028 is exempt from this requirement.



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122A.261 PREKINDERGARTEN, SCHOOL READINESS, PRESCHOOL, AND EARLY EDUCATION PROGRAMS; LICENSURE REQUIREMENT.

Subdivision 1. Licensure requirement. (a) A school district or charter school must employ a qualified teacher, as defined in section 122A.16, to provide instruction in a preschool, school readiness, school readiness plus, or prekindergarten program or other school district or charter school-based early education program.

...

Subd. 2. Exemptions. Any teacher who has taught in a preschool, school readiness, school readiness plus, or prekindergarten program, or other early learning program for at least five years prior to September 1, 2028, may continue to teach without obtaining a license. Notwithstanding this exemption from the licensure requirement, these individuals are teachers under section 179A.03, subdivision 18.

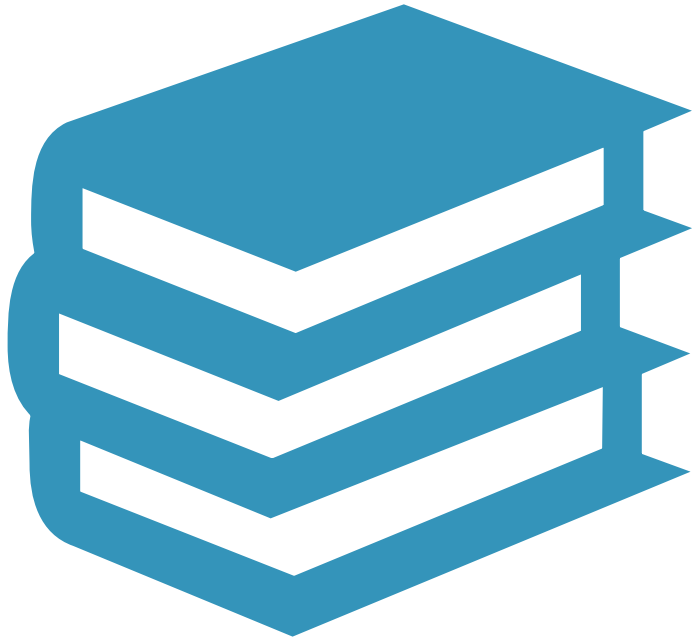
EFFECTIVE DATE. This section is effective July 1, 2028.





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# Continuing contract status for ECFE staff



- As of the first duty day of 2023-24, ABE and ECFE teachers had the assumption of continuing contract or tenure.
- This means that ECFE teachers are subject to negotiated ULA and seniority provisions governing layoffs.
- Education Minnesota understands the law to mean that any ECFE and ABE teacher with three years of service will have CC rights at the start of their school year.
  - Districts do not agree with us on this.
  - Meg, more here?



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# Collective bargaining and organizing options

Andrea Cecconi

# Bargaining options for PreK & ECFE teachers

How is  
teacher  
defined?

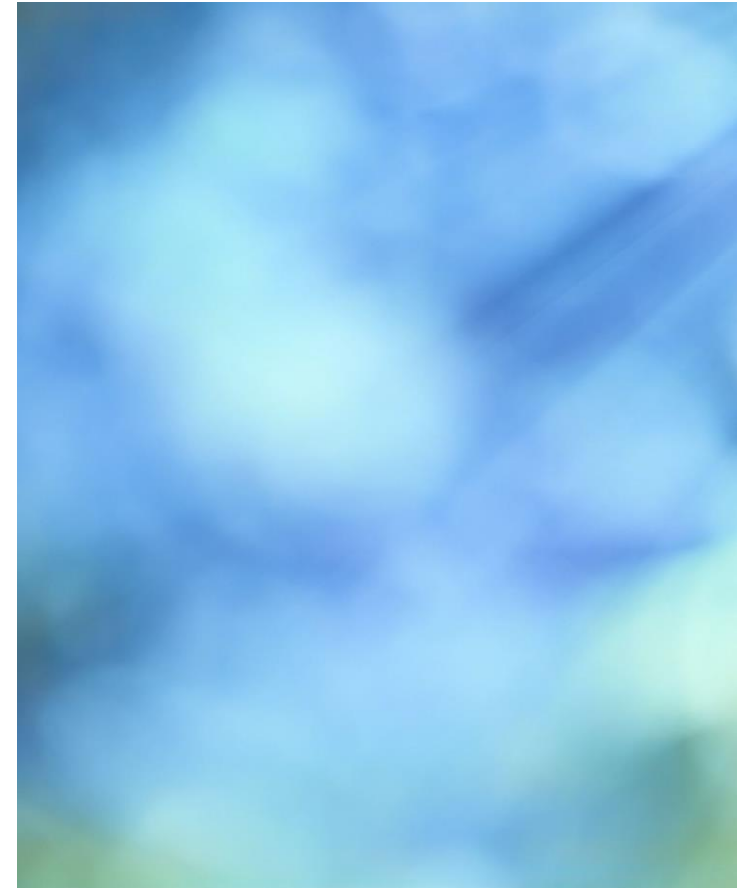
Look at the agreement to ensure that all early education teachers are included.  
The legal definition can be included (“in a position providing instruction to children in a prekindergarten or early learning program...”)

How are  
teachers  
covered when  
it comes to  
ULA (layoff)  
and seniority?

ECFE teachers may already have negotiated protections

- Separate seniority lists?

Early education teachers are not covered by statute but can be covered via negotiated layoff protections



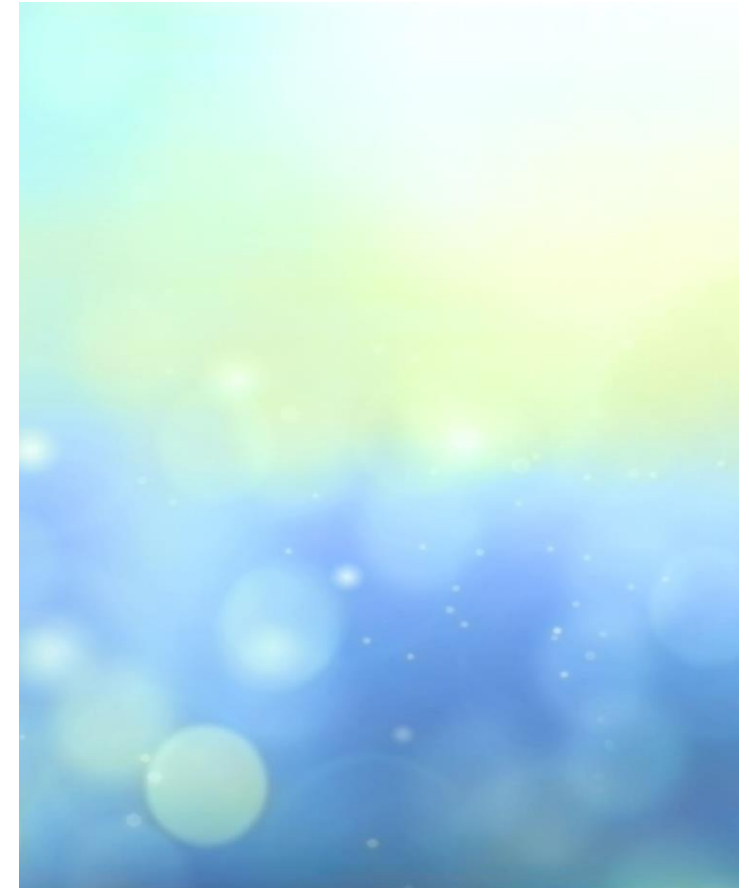
# Bargaining options for PreK & ECCE teachers

## How are staff mentored and trained?

- Assignment of a mentor to new staff or staff new to the bargaining unit
- Commitment to including all staff in relevant professional development
  - Districts have staff development committees; early education teachers' needs can be included in the planning process for PD!

## What supports exist to complete licensure programs?

- Reimbursement for relevant credits for non-licensed staff to take classes within accredited teacher preparation programs
- Paid time off for early education teachers to complete accredited teacher preparation programs
- Commitment by districts to honor credits taken during employment with respect to salary placement



# Bargaining options for PreK & ECCE teachers



## How are early education workers included in Qcomp and TDE?

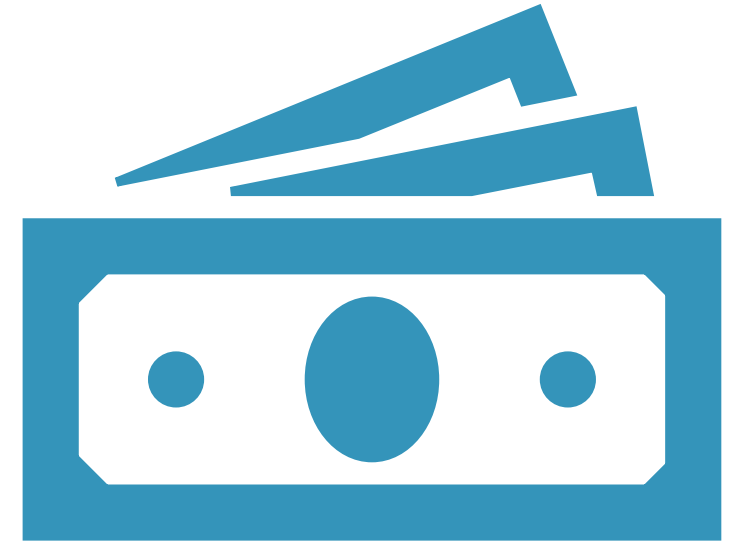
- All staff should be included in the provisions of a local Qcomp plan
- The teacher development & evaluation law applies for ECCE staff. Supports CAN be applied to PreK staff.

## What do schedules and hours of work look like?

- The main provisions of the contract may not work for all early education teachers
- No broad carve-outs: we recommend language that provides clarity on how schedules are crafted

# Bargaining options for PreK & ECFE teachers

- How do we ensure equity in compensation
  - Early education workers should be paid according to the teacher salary schedule
    - Some locals have negotiated separate wage schedules
    - Most locals appear to be bargaining at least an hourly salary schedule based on the existing salary schedule
  - Benefit eligibility should be aligned with all other licensed teachers
    - Pro-rated insurance eligibility is still common



# What is “normal” in your district and how can we change it?

Adam Janiak

# Group activity – What is your normal?

In small groups, share:

What was it like before this last year? (Ex. Salary, benefits, seniority)


How have things changed this year, if they have?

What are the main issues you see and feel in your district?




# How do we make change?

An example from the Farmington Education Association (FEA) 2019-21 contract campaign.



## A two-year campaign began with frustration!

- Another contract settled without ECFE parity – Huge frustration!
- Early childhood educators met with FEA leadership and discussed what it would take to make change
- Strong commitments were made
  - Members doing the work needed
  - Meeting monthly
  - Creating a plan
  - Recognized the need for internal accountability



4 months of organizing  
planning and  
foundation building

- Analysis of issues
  - Information gathering
  - Research (value of early childhood, data on salary, etc)
  - Escalation tactics
- 
- Decided on a goal (What do we want?)
    - Pay was their focus

# Next Step – Commitment and initial education

- Presented to the local executive board to get a commitment to prioritize

## Education:

- Building meetings for members
- Negotiator 1:1's
- Administrator 1:1's
- Superintendent
- School Board

### We are asking for your support to make sure that every licensed early childhood staff member be included on the K-12 schedule.

Licensed early childhood teachers, licensed family education teachers (ECFE), and licensed adult basic education (ABE) teachers are not paid on the K-12 salary schedule. They are members of the Farmington Education Association.

### FEA Salary Snapshot: 184 days at a 1.0 FTE

Adult Basic Education 2018-2019 <i>MA plus 40 credits 13th year</i>	Early Childhood 2018-2019 <i>MA plus 40 credits 13th year</i>	K-12 Licensed 2018-2019 <i>MA plus 40 credits 13th year</i>
<b>\$47,661</b>	<b>\$49,736</b>	<b>\$76,317</b>

### Many surrounding districts have achieved putting licensed early childhood teachers on the K-12 pay scale.

- ▶ New Prague: Just added last round (all contract items too)
- ▶ Shakopee: Just added ECFE licensed staff to K-12 schedule (2018-2019)
- ▶ DCUE: On the K-12 schedule for decades
- ▶ Lakeville: On the K-12 schedule
- ▶ Hastings: On the K-12 schedule
- ▶ Prior Lake: On the K-12 schedule (about 10 years)
- ▶ East Carver County: Just added last round (2018-2019)
- ▶ Burnsville: No (didn't settle the 2017-19 contract until last summer)
- ▶ Northfield: No

**Farmington is quickly becoming the tail end when it comes to ECFE & ABE pay!**

### DID YOU KNOW?

#### Why is this a hot issue:

- ▶ Fewer lanes. We have only 2.
- ▶ Discrepancy in pay scale. Early childhood (MA +40 13th yr \$49,736).
- ▶ K-12 (MA +40 13th yr \$76,317).
- ▶ Less life insurance.
- ▶ No retirement insurance or incentive program.
- ▶ No seniority list to help us achieve tenure status.
- ▶ After 19 years, district teachers get 4 personal days, we do not.
- ▶ Part time teachers going to full time status do not get to count previous service years for the steps and lanes.
- ▶ Getting early childhood licensed teachers on the K-12 schedule is a long standing Education Minnesota recommended bargaining goal.





# Escalating actions

- They used social media
- 2 weeks prior to bargaining during in-service week they had donut themed events and used 50 state comparison
- Local Media



You kidding? Farmington licensed early childhood teachers make less than West Virginia teachers?

## Farmington Licensed Early Childhood Teachers Rank Second to Last in Teacher Pay!

1. New York.....	\$83,585	27. Indiana.....	\$54,846
2. California.....	\$81,126	28. Nebraska.....	\$53,473
3. Massachusetts.....	\$79,710	29. Texas.....	\$53,167
4. District of Columbia.....	\$76,486	30. Kentucky.....	\$52,952
5. Connecticut.....	\$73,113	31. Montana.....	\$52,776
6. New Jersey.....	\$69,917	32. Colorado.....	\$52,389
7. Maryland.....	\$69,761	33. Maine.....	\$51,663
8. Alaska.....	\$69,474	34. Virginia.....	\$51,265
9. Pennsylvania.....	\$67,398	35. South Carolina.....	\$51,027
10. Illinois.....	\$66,778	36. Tennessee.....	\$50,900
11. Rhode Island.....	\$66,758	37. North Carolina.....	\$50,861
12. Oregon.....	\$63,143	38. Kansas.....	\$50,403
13. Michigan.....	\$62,702	39. Louisiana.....	\$50,256
14. Delaware.....	\$60,484	40. Alabama.....	\$50,239
15. Wyoming.....	\$58,578	41. Idaho.....	\$49,225
16. Vermont.....	\$58,572	42. Missouri.....	\$49,208
17. Ohio.....	\$58,000	43. Arkansas.....	\$49,017
18. New Hampshire.....	\$57,833	44. South Dakota.....	\$47,944
19. Hawaii.....	\$57,866	45. New Mexico.....	\$47,839
20. Nevada.....	\$57,812	46. Florida.....	\$47,721
21. Minnesota.....	\$57,782	47. Arizona.....	\$47,746
22. Iowa.....	\$56,790	48. Utah.....	\$47,604
23. Georgia.....	\$56,329	49. Oklahoma.....	\$45,678
24. Wisconsin.....	\$55,895	50. West Virginia.....	\$45,642
25. Washington.....	\$55,175	51. Farmington Licensed Early Childhood.....	\$43,217
26. North Dakota.....	\$54,421	52. Mississippi.....	\$43,107

State/DC ranking from: <https://patch.com/minnesota/woodburyteacher-pay-how-minnesota-ranks>

[www.educationminnesota.org](http://www.educationminnesota.org)  
Education Minnesota is an affiliate of the American Federation of Teachers,  
the National Education Association and AFT-CIO, UMW



Our "Donut For A Adult Basic Ed teachers was a success! Thank you for your support!  
#ateacherisateacher  
#unitedforkids



# Escalating actions

- Next action was parent involvement
- They were planning, preparing lists, and about to begin contact parents. When the district found out an agreement was reached!



Really? My licensed early childhood teacher's pay is less than in Lakeville, Shakopee, Rosemount and Prior Lake?



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# Action Plan for Change



# Thank you for attending!

Adam Janiak, Negotiations Specialist

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