



PETITION FOR FACT FINDING
MICHIGAN DEPARTMENT OF LABOR & ECONOMIC GROWTH
 Employment Relations Commission (MERC)

MEDIATION CASE NO. D09 H-0903
MEDIATOR Micki Czerniak

AUTHORITY: P.A. 380 OF 1985 AS AMENDED COMPLETION: MANDATORY PENALTY: CASE WILL NOT BE OPENED WITHOUT USE OF THIS FORM	THE DEPARTMENT OF DLEG WILL NOT DISCRIMINATE AGAINST ANY INDIVIDUAL OR GROUP BECAUSE OF RACE, SEX, RELIGION, AGE, NATIONAL ORIGIN, COLOR, MARITAL STATUS, HANDICAP OR POLITICAL BELIEFS.
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(A) INSTRUCTIONS: PETITIONER SHALL CAUSE THE ORIGINAL TO BE SERVED ON THE OTHER PARTY TO THIS CASE, AND (4) COPIES WITH A PROOF OF SERVICE TO BE FILED WITH MERC. USE EXTRA SHEETS, IF NECESSARY.	(B) IF THE PARTIES HAVE MUTUALLY SELECTED A FACT FINDER, PLEASE PROVIDE THE NAME AND TELEPHONE NO. / FAX NO.
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(C) THIS PETITION IS FILED BY: EMPLOYER UNION

1. PUBLIC EMPLOYER NAME
School District of the City of Royal Oak

ADDRESS (STREET NO. AND NAME)
1123 Lexington Boulevard

CITY Royal Oak	STATE MI	ZIP CODE 48073
TELEPHONE NO. (INCLUDE AREA CODE) 248-435-8400	FAX NO. 248-435-6170	

1a. PRINCIPAL REPRESENTATIVE:
Gary P. King
Keller Thoma, P.C.
440 East Congress, 5th Floor
Detroit, MI 48226
(313) 965-7610
Fax: (313) 965-4480

2. NAME OF LABOR ORGANIZATION
Royal Oak Education Association, MEA/NEA

ADDRESS (STREET NO. AND NAME)
17500 W. Eleven Mile Road, Suite 100

CITY Lathrup Village	STATE MI	ZIP CODE 48076
TELEPHONE NO. (INCLUDE AREA CODE) 248/559-4770	FAX NO. 248/559-4758	

2a. PRINCIPAL REPRESENTATIVE:
Laurie Moore, Director

3. UNIT DESCRIPTION
See attached.

3a. NO. OF EMPLOYEES IN UNIT Approximately 330	3b. CONTRACT EXPIRATION DATE August 25, 2009
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4. UNRESOLVED ISSUES IN DISPUTE AND FACTS RELATING THERETO THAT THE PETITIONER HAS ENGAGED IN GOOD FAITH BARGAINING AND MEDIATION, AND THE PARTIES HAVE NOT SUCCEEDED IN RESOLVING THE DISPUTED MATTERS.

See attached listing. In addition to the six mediation sessions, the parties have met and bargained on six other separate occasions. The parties remain significantly apart on open issues.

4a. THE FOLLOWING IS A STATEMENT OF REASONS WHY PUBLICIZING THE FACTS AND RECOMMENDATIONS WOULD ASSIST IN RESOLVING THE ISSUES IN DISPUTE:

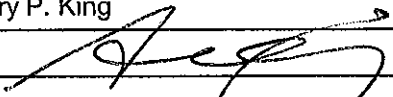
Despite numerous bargaining and mediation sessions, the parties have been unable to reach an agreement. Publicizing the facts and the Fact-Finder's Recommendations could assist the parties in modifying their positions so as to reach an agreement.

5. NUMBER OF MEDIATION MEETINGS HELD
Six

5a. DATES AND DURATION OF MEETINGS
See attached.

6. I DECLARE THAT I HAVE READ THE ABOVE PETITION AND THE STATEMENTS THEREIN ARE TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

NAME: Gary P. King ADDRESS: 440 East Congress, 5th Fl, Detroit MI 48226

SIGNATURE:  DATE: February 2, 2010

TELEPHONE & FAX NOS. INCLUDE AREA CODE: 313-965-7610/Fax: 313-965-4480

INTERNET

ARTICLE I

RECOGNITION OF PARTIES AND SCOPE OF AGREEMENT

Section A. Members of Bargaining Unit Defined

- 1. The Board recognizes the Association as the exclusive bargaining representative for the purposes of collective bargaining with respect to wages, hours, and terms and conditions of employment for all certified teachers and for all teachers who hold Vocational Education Certificates under contract to the Board, as well as licensed Therapists, I.M.C. Librarian, Head Teachers, Department Heads, and School Social Workers who are under contract or on leave compensated by the Board. Supervisory and administrative personnel who are excluded from representation are the Superintendent, Assistant Superintendents, Executive Directors, Building Principals, Assistant Principals, Managers, Administrative Assistants, Supervisors, School Psychologists and substitute teachers.**

UNRESOLVED ISSUES

School District Issues

Association Business Days and President's Release Time - Article III, Section E

District Sick Bank - Article XI, Section A

Class size provisions for relief regarding special education or AST pupils, and elimination of class size adjustment fund - Article XVI, Sections B and C

Health, vision, and dental insurances - Article XVII

Salary - Appendix A-3 and Schedule B

Revised salary schedule for new hires

Calendar - Appendix C

Recognition of "Interim" Teaching Certificates - Appendix F-6

Removal of outdated Appendix F-10

Form committee to bargain changes in the work performance evaluation system as a result of recent changes in State law.

Association Issues

Teachers making home visits - Article IV, Section A

Inclusion of sexual orientation as a protected classification - Article V, Section A

Prep time for "specials" teachers - Article VII, Section A

Assignment of teachers to Adult and Continuing Education positions - Article IX, Section J

Paid Leave Days and District Sick Bank - Article XI, Section A

On-Line Education

Eliminate District's right to determine hours of instruction - Article II, Section A

Salary - Appendix A-3 and Schedule B

Part-time teachers to receive full steps on salary schedule

Coordinator Pay

Add bowling as a paid sport

Additional pay for split classes

Increase summer school and professional development pay rates, and increase extra services pay rate - Article XVII, Sections C and H

Additional pay for any teacher with National Board Certification

Class size and class size relief- Article XVI, Sections B and C

Calendar - Appendix C

Early retirement incentive

Increase amount paid for opting-out of health insurance - Article XVIII, Section A

MEDIATION SESSIONS

August 31, 2009	Approximately 2 hours
October 14, 2009	Approximately 3 hours
October 26, 2009	Approximately 2 hours
January 5, 2010	Approximately 1 hour
January 7, 2010	Approximately 2 hours
January 25, 2010	Approximately 2 hours

**STATE OF MICHIGAN
MICHIGAN DEPARTMENT OF LABOR & ECONOMIC GROWTH
EMPLOYMENT RELATIONS COMMISSION**

In the Matter Between:

**SCHOOL DISTRICT OF THE CITY
OF ROYAL OAK,**

Employer,

-and-

Mediation Case No. D09 H-0903

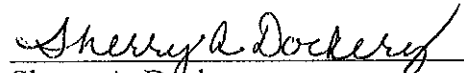
ROYAL OAK EDUCATION ASSOCIATION,

Union.

PROOF OF SERVICE

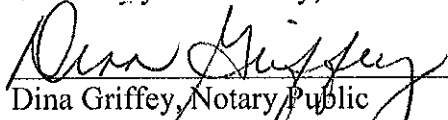
Sherry Dockery, being first duly sworn, deposes and says that on the 2nd day of February, 2010, she did serve one copy of the *School District of the City of Royal Oak's Petition for Fact-Finding*, by mailing same, via United States Mail, on the following party:

Laurie Moore, Director
Royal Oak Education Association, MEA/NEA
17500 W. Eleven Mile Road, Suite 100
Lathrup Village, MI 48076



Sherry A. Dockery

Subscribed and sworn to before me
this 2nd day of February, 2010.



Dina Griffey, Notary Public
Oakland County, Michigan
My Commission Expires: 10-15-12
Acting in Wayne County, Michigan