

DECLARATION OF IMPASSE

INSTRUCTIONS: Complete in full, retain one copy and distribute in the following manner: A) File an original and one (1) copy with the Director of Conciliation, PERB, PO BOX 2074, ESP AGENCY BLDG 2, FLS 18 & 20, ALBANY, NEW YORK 12220-0074. B) Simultaneously serve one (1) copy upon the respondent.

Date: 10/22/19

PUBLIC EMPLOYER

Name of Public Employer..... City of Buffalo Board of Education  
NAME, TITLE, ADDRESS, TELEPHONE AND FAX NUMBERS of the Representative to whom PERB should direct correspondence Dr. Kriner Cash, Superintendent  
Room 712, City Hall - Buffalo, NY 14202  
(Email) krinercash@buffaloschools.org (Telephone) 716 816-3575 (FAX) 716 851-3033

EMPLOYEE ORGANIZATION

Name of Employee Organization..... Buffalo Teachers Federation  
NAME, TITLE, ADDRESS, TELEPHONE AND FAX NUMBERS of the Representative to whom PERB should direct correspondence Phillip Rumore, President  
271 Porter Avenue, Buffalo NY 14201  
(Email) 1sauere@btfny.org (Telephone) 716 881-5400 (FAX) 716 881-6678

IDENTIFYING PARTY DECLARING IMPASSE

Public Employer  Employee Organization  Joint Declaration

DESCRIPTION OF UNIT

- A - Number of employees in the unit: 3788
- B - Included titles: Teachers
- C - Excluded titles: Administrators, Teacher Aides, Clerical
- D - Employer's fiscal year: 07/01/2019 to 06/30/2020  
(Mo./Day/Yr.) (Mo./Day/Yr.)
- E - Effective date and expiration date of present agreement: 10/17/2016 to 6/30/2019  
(Mo./Day/Yr.) (Mo./Day/Yr.)
- F - Date of recognition or certification of negotiating agent: Pre 1967

IMPORTANT

DETAILS OF DECLARATION

IMPORTANT

On a separate sheet of paper which should be attached hereto, write a clear and concise history of negotiations leading to this Declaration of Impasse. Include the number and dates of the negotiating sessions and specifically list all presently unresolved issues.

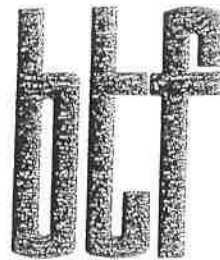
Pursuant to Article 14 of the Civil Service Law, as amended (Public Employees' Fair Employment Act), the undersigned hereby declare(s) that a state of impasse exists between the above noted public employer and employee organization within the meaning of Section 209 of said Act.

[Signature] President 10/22/19  
Signature of Representative Declaring Impasse Title Date

If joint declaration, both representatives must sign:

\_\_\_\_\_  
Signature of Representative Declaring Impasse Title Date

President PHILIP RUMORE

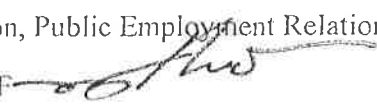


October 22, 2019

BUFFALO TEACHERS  
FEDERATION, INC

271 PORTER AVENUE  
BUFFALO, N.Y. 14201  
(716) 881-5400  
FAX (716) 881-6678

MEMO TO: William M. Conley,  
Acting Director of Conciliation, Public Employment Relations Board

FROM: Philip Rumore, President, BTF 

RE: Declaration of Impasse

On August 20, 2019, the BTF declared an impasse in our negotiations as per the Collective Bargaining Agreement between the parties (see attached) and sought assistance from PERB, by appointing a mediator.

In a correspondence dated September 30, 2019, you stated; "While I am denying impasse at this time, nothing in my determination is intended to preclude either party from its respective rights provided continued negotiations occur, as planned, in the future."

Since our original filing, the BTF Bargaining team has met with the District's team in seven (7) separate negotiation sessions (9/25/19, 9/30/19, 10/2/19, 10/7/19, 10/8/19, 10/17/19, 10/22/19).

Based upon the District's recent actions, the BTF again declares Impasse as per the CBA and seeks the assistance of PERB by appointing a mediator to assist in our negotiations.

Attached, please note, based upon our team's collective compilation, is what transpired at our October 22, 2019 negotiations (Document I).

In short, we attempted to clarify what we believed had been agreed to (Document II).

During the discussion, the District advised us that it would not sign off or agree on our acceptance of their October 17, 2019 counter proposal to our contract proposal #75 until we discussed other BTF contract proposals that they said will affect this proposal. Note: The 220 days for which retirees can receive compensation does not change (Document III).

As you read through what transpired at this meeting, I hope you will agree that our declaration of impasse, as per our CBA, is appropriate and that you will now provide PERB's assistance.

Please note the BTF is filing an Improper Practice Charge against the District for its actions.

PR:su

Negotiations Meeting  
Oct 22, 2019  
10:00 am.

Conversation between BPS negotiating team and BTF negotiating team

The following conversation occurs between Phil Rumore (PR) and Nate Kuzma (NK)

PR: Opened with a brief discussion of a previous "round table" education funding meeting he and other surrounding District Superintendents and leaders attended to seek increased educational funding. He also distributed his written presentation.

PR: Distributed packet with BTF agrees, District agrees and some clarifications with Phil's signatures.

NK: Can we caucus for ten minutes?

PR: Sure

10:15 – 11:00 BPS is in Caucus

11:00 BPS returns to table

PR: Discussed triage procedures with BPS team

NK: Sounds good

NK: Are all the remaining Board proposals rejected?

PR: We are willing to discuss each one. We are not closing the door to any proposal made by the District.

NK: I will draft counter proposals to the harassment policy (BTF #2) and the speech teacher proposal (BTF #48)

PR: Will you sign off on the proposals we gave you today?

NK: We are unwilling to sign off because some of the other BTF proposals will impact these proposals

NK: Mentioned specifically District counterproposal that increases number of sick accrual days from 220 to 250 with the buyout remaining at 220 (District Counter to BTF #75)

PR: Does that mean that we can't accept your proposal?

NK: Some of your proposals will affect this proposal. Your proposal changes the formula.

PR: So we can't accept your proposal?

NK: The BTF is proposing a change in the formula. I am refusing to sign off on anything until the end

PR: We are not changing the 220 days for the buy back.

NK: You have a proposal on the table that could specifically impact our counterproposal on the maximum number of days

PR: Are you withdrawing the proposal you made?

NK: No

PR: We will see what PERB says about this

NK: Like it worked so well the last time. This is how you spin it Phil.

Did you share PERB's response with the teachers and the media? I know you shared your letter, but didn't share the rejection from PERB. This is BS!

NK: Everybody knows you do not have to agree to ground rules.

Are you going to tell them you are going to wait until April?

NK: This is garbage!

NK: We are only dealing with minutia but we are not dealing with the meat and potatoes. This is more of your BS. Knock it off, this is all garbage!

PR: Tried to respond and NK interrupted

PR: Nate, don't you have any manners?

NK: You don't have any manners, Phil

PR: I can't believe you are acting this way

NK: I will act any way I want to act! I will speak any way I want to speak!

NK: What are we doing next time?

PR: We will just keep working

PR asked Geoff Pritchard to look into the waiver incentive for the next meeting.