

## Office of Personnel Relations

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Providing comprehensive employment and personnel relations services to local school districts for over 45 years.

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## VOLUME XLII NOVEMBER -DECEMBER 2022

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REMINDER: The Minimum Wage Act (Article 19 of the New York State Labor Law) requires that all employees in New York State receive at least \$14.20 an hour, beginning December 31, 2022.

# Commissioner Cautions BOCES When Offering Reasons For A Tenure Denial

In most cases, newly hired teachers are subject to a four-year probationary period. During this time a school district may evaluate, coach, and if necessary, discipline a teacher to mold an educator that meets the district's needs. This is also when a district may take the necessary steps to end a teacher's probationary appointment or deny them tenure. To do so requires notice from the district at least thirty days prior to the Board of Education meeting wherein the Superintendent intends to ask the Board to act on their recommendation. After receiving notice, and at least twenty-one days prior to the relevant meeting, the individual notified may request the reasons ending their probationary appointment. Those reasons must be provided by the District within seven days, and then the teacher has seven days to file a response to their reasons to the Board. In a recent decision, the Commissioner of Education expanded on those requirements and posed a cautionary tale to districts providing reasons for ending a probationary appointment.

The reasons for a decision to end a probationary appointment are more than just lip service. they must be sufficiently detailed so that "a probationer can ascertain whether any were constitutionally or statutorily impermissible." This was the issue in a series of cases before the Commissioner that landed the Capital Region BOCES in trouble. In Appeal of Adrianne Rickson, a probationary teacher's appointment was ended, and the reasons provided by the BOCES were "(1) use of controversial materials that had no valid curricular purpose", "(2) Failure to utilize approved curriculum for instruction", and "(3) Use of BOCES resources to promote misinformation." Decision No. 18,147 (July 7, 2022). The teacher appealed arguing she was wrongfully terminated. Id. The Commissioner agreed, reasoning that without providing any specific dates or details in their reasons for tenure denial, the District deprived the probationer of her ability to argue that her conduct was protected. Id. As a result, the Commissioner remanded the case instructing the BOCES to resubmit the reasons to the Board for consideration. Id.

Subsequently, the BOCES informed the petitioner that "On November 10, 2021, [petitioner] violated

the BOCES's Acceptable Use Policy by sending a mass email solicitation without prior approval from the District Superintendent", and "On or about January 6, 2022, [petitioner] misused her position as a Criminal Justice teacher by issuing an assignment that was not part of ... the approved curriculum for your Criminal Justice 2 course and had no valid curricular purpose" as reasons for ending the probationary appointment.

The teacher again argued she was unjustly let go and filed another appeal to the Commissioner. The Commissioner again agreed with the teacher, finding that the new reasons "materially modified" the prior reasons and that this was evidence of bad faith. The Commissioner also found that the BOCES' reason was pretextual, meaning that it was not true and that the BOCES did not view the original incident as a terminable offense.

In response to the claim that she misused her teaching position by issuing an improper assignment, the teacher had argued that the assignment given to her students was academically sound, was age appropriate, was related to the class curriculum, and encouraged students to generally think critically. The Commissioner agreed and determined that the BOCES violated the teacher's academic freedom. For these reasons the Commissioner found "that respondent's discontinuance of petitioner's probationary position was effected in bad faith and must be reversed."

The statutory protections afforded teachers are real, meaningful, and must be followed. The *Rickson* cases are a stark reminder of a district's requirements when ending a probationary appointment. The Commissioner has made it clear that a district must have substantive reasons for their employment decisions supported by facts and reasoning which can be backed up by evidence, if necessary.

Districts can find guidance from these cases to better craft targeted reasons tied to specific conduct, and successfully remove a probationary teacher. This does not mean that tenure can no longer be denied for conventional or generic reasons. They must be based on facts which the district can substantiate.

Notably, the decisions make clear that prior discipline cannot form the sole basis for a tenure denial. A better way to present prior discipline would be as evidence of an employee's inability

to perform their job, and with the additional language in each form of discipline that the district may use this misconduct as evidence when making a recommendation on a teacher's probationary appointment.

Districts must act consistently and ensure that there is one shared understanding for the recommendation, and the reasons for that recommendation are applied to teachers throughout the organization. Across these cases, the BOCES attempted to offer three different sets of reasons for the tenure denial. The Commissioner found this to be evidence that the BOCES was acting in bad faith. This undermined the BOCES' credibility, and in turn hurt its case.

While the *Rickson* decisions offer guidance on crafting reasons for ending a probationary appointment, much of the process remains the same. Teachers are still entitled to sufficient notice, may offer a statement to rebut the reasons presented, and a decision must be made by the Board one month prior to the termination date. Districts should continue to make decisions in line with its usual practice and timeline, to avoid any issues with contractual just cause or disciplinary provisions.

The tenure process provides teachers with an opportunity to gain job protection largely unavailable to the wider workforce, and the district with an opportunity to thoroughly vet their educators before making a hiring decision permanent. The *Rickson* decisions make this process more onerous for districts but does not alter its core purpose. Please reach out to our office for specific questions or guidance.

## Recent Commissioner's Decisions On Student Hearings

Before discussing 3 recent Commissioner's decisions that could impact the way your district handles student discipline, our office wants to make districts aware of the increase in animosity at superintendent's hearings throughout the region, sometimes putting the safety of administrators and hearing officers at risk. Please keep in mind that it is beneficial to have a district's SRO or other security personnel ready to assist if the hearings get out of hand, and especially when the district knows the hearing could get contentious.

#### 1. District Appeal Procedures Overturned

The Commissioner overturned a school district's appeal procedures in Appeal of C.L., Decision No. 18204 (October 12, 2022). In this case, a hearing officer recommended a long-term suspension after receiving "sufficient evidence" that the student posted a threat on a "classroom page" that said, "ima shot up the English class." The determination was appealed via the district's appeal procedures, which involved appealing to an "appeals administrator," then to the Superintendent, then to the Board of Education. Each appeal had to be completed within 10 days. The Commissioner emphasized that the appeals procedures for superintendent's hearings are clear in Education Law § 3214 and found the District's process to be inconsistent with the law. First, it was impermissible to create an "appeals administrator" because the step does not exist in the law. Second, an appeal could not be made to the superintendent because the law requires the superintendent to be the decision maker. Third, the Commissioner said that the 10-day timeline for each appeal to the school board was "inconsistent with due process, the Education Law and sound educational policy." Finally, the Commissioner derided the District for not providing a recording of the hearing in a timely manner. Therefore, the Commissioner sustained the objection and expunged the student's suspension from his record.

Based on this decision, districts should examine their appeal procedures and make sure the Superintendent is making a final decision and the appeal goes directly to the Board of Education. Furthermore, districts should reassess their appeal timelines and consider increasing the timeline to appeal if currently at 15 days or less. The consequence for failing to abide by these requirements could be expungement of discipline, even for something involving a threat of violence.

## 2. Five-Day Suspension Notice Must Be Delivered Within 24 Hours

The Commissioner sustained an appeal and expunged a student disciplinary record in *Appeal of J.B.W.*, Decision No. 18205 (October 18, 2022). In this case, the student recorded a video of an altercation during the afternoon of February 7,

<sup>1</sup> The Commissioner also noted that a 15-day timeline to appeal was "inconsistent with due process."

2022. At around 5:00 p.m., the principal spoke to the student via phone, the student admitted to recording the fight and the principal notified the family that the student would be suspended for five days. The district mailed a notice of short-term suspension to the family on February 8, 2022. The principal also emailed the family this notice on February 9, 2022. The family received the notice of short-term suspension in the mail on February 10, 2022.

First, the district argued to dismiss the appeal for failure to exhaust administrative remedies. The Commissioner indicated that districts could adopt a policy requiring short-term appeals to go to the Board and in the absence of such a policy, the appeal could go directly to the Commissioner. In this case, the District adopted such a policy, but the family immediately appealed to the Commissioner. The Commissioner allowed the family to skip its appeal to the Board because the district never notified the family of its process.

Second, the Commissioner reiterated that notification of suspensions of 5 days or less must be provided to the family in writing within 24 hours by personal delivery or express mail sending notice via regular mail did not suffice. In addition, the district should notify the family via telephone, but that notification, alone, was not enough to satisfy the notice requirements. The District argued that the immediate suspension was due to the fact that the student posed a continuing danger or ongoing threat of disruption. Despite this argument, the Commissioner indicated that delivery still had to be as soon as "reasonably practicable." The Commissioner found that although the family was notified via phone on the day of the incident. delivery by regular mail and an email notification 48 hours after the incident was not sufficient notice. As a result, the Commissioner sustained the objection and expunged the short-term suspension of the student.

The Commissioner is making very clear that districts must follow all procedural requirements with precision or face consequences. Here, districts must make sure written notice is delivered within 24 hours to families. Furthermore, consider mentioning the district's appeals process for short-term suspensions in this notice to have a stronger argument if a family appeals directly to the Commissioner.

#### 3. Evidentiary Standard

Finally, the Commissioner sustained and expunged a record of discipline for a student in Appeal of B.A., Decision No. 18209 (October 31, 2022). In this case, a student already out on long-term suspension (Student A) received a text message from another student (Student B) about fighting a third student (Student C). Student A told Student B to film the fight if he fought Student C and to send the video to him (Student A). The District charged Student A with conspiracy to attack another student. After a hearing, the Superintendent suspended the student from January 13, 2022-December 23, 2022, with a possible early return at the start of the 2022-2023 school year. The Board upheld the suspension and the family appealed to the Commissioner.

The Commissioner said that "conspiracy" was not defined in the Code of Conduct but indicated that it involved "an agreement to do something illegal or wrongful." The District relied on the text messages and testimony from the principal to indicate there was a conspiracy. The student testified that Student B texted him about attacking Student C and he thought Student B was joking. Ultimately, the Commissioner found that there was not substantial and competent evidence that Student A conspired with Student B to attack Student C because Student A merely encouraged Student B, and there was no evidence that the fight between Student B and Student C was filmed. Furthermore, the Commissioner found the district's penalty "shocking to the conscience" even if guilty because the penalty was punitive. Since Student A was already out on suspension, the District should have helped the student "by establishing remedial supports to foster...the student's emotional intelligence," rather than imposing punishment "for its own sake."

Districts must make sure they are bringing cases that they can prove – use terms utilized in the Code of Conduct and try to avoid criminal offenses as much as possible. The Commissioner is giving districts less and less deference in student discipline cases, so districts must always be prepared with enough evidence and seek penalties that are in line with similar outcomes in the district.

		RECE	T ARE	A TEA	CHER (	CONTR	ACT S	ETTLE	MENT	S		
CAYUGA-ONON	NDAGA BO	OCES										
	2015- 2016	2016- 2017	2017- 2018	2018- 2019	2019- 2020	2020- 2021	2021- 2022	2022- 2023	2023- 2024	2024- 2025	2025- 2026	AVG.
BOCES	2.25	2.50	2.70	2.75	2.80	2.80	1.99	4.00	4.00	4.00		2.98
Auburn	2.60	2.60	2.60	2.70	2.75	2.80	2.85	4.00	4.00	4.00	4.00	3.17
Cato-Meridian	2.70	2.60	2.50	2.85	2.85	2.70	3.50	3.25	3.00			2.88
Jordan-Elbridge	2.50	2.50	2.80	2.80	2.80	2.80	4.00	4.00	4.00			3.13
Moravia	2.50	2.50	2.90	2.85	2.80	2.80	2.80	4.25	4.25	4.25		3.19
Port Byron	2.50	2.60	2.70	2.60	2.88	2.88	2.88	2.88	3.75 +\$600	3.75		2.85
Skaneateles	2.60	2.75	3.20	3.10	3.00	3.40	3.60	3.60				3.16
So. Cayuga	2.25	2.75	2.75	2.75	\$1,900	3.00	\$1,900					2.70
Union Springs	2.50	2.50	2.50	2.75	2.80	2.85	2.85	2.88	2.99			2.74
Weedsport	2.50	2.50	2.75	2.75	2.75	2.75	3.00	3.00				2.75
	2.49	2.58	2.74	2.79	2.83	2.88	3.05	3.54	3.71	4.00	4.00	
BROOME-TIO	GA BOCES	<u> </u>										
Chenango Valley	2.75	2.75	2.75	\$2,000	3.00	3.00	3.00					2.88
Deposit	3.00	3.00	3.00	2.99	\$400 + 3.00	\$400 + 3.00	\$400 + 3.00	\$400 + 3.00				3.00
Maine-Endwell	2.95	2.95	2.95	2.95	3.10 + \$300	3.10	4.90	2.96	2.96	2.96		3.19
Owego-Apal.	2.95	2.85	2.75	3.00	3.50	3.00	3.00	4.00	4.00	4.00		3.26
Union-Endicott	2.60	2.90	2.90	3.50	3.50	3.00	3.00	4.00	4.00	4.00		3.34
Vestal	2.95	2.95	3.00	3.00	3.00	3.00	3.00	3.15	3.20			3.03
Whitney Point	2.50	2.60	2.70	3.00	3.00	3.00	3.00	3.00	3.00			2.85
	2.81	2.86	2.86	3.07	3.10	3.02	3.38	3.42	3.43	3.65		
DELAWARE-CH	IENANGO	)-MADIS	ON-OTSE	GO BOCI	ES							
Sidney	3.00	3.20	4.00	4.00	4.00	4.00	3.00					3.60
OSWEGO BOCI	ES											
Hannibal	2.20	2.20	2.75	3.00	3.00	3.00	3.00	3.00	3.00	3.00		2.82
TOMPKINS-SEI	NECA-TIO	OGA BOC	ES									
Candor	1.5 +	2.0 + \$500	3.20	2.0 + \$44/step	2.0 + \$44/step	1.25	2.0 + \$45/step	2.0 + \$45/step	3.50			2.65
Dryden	3.00	3.05	3.13	4.42	4.25	4.14	3.31					3.61
Groton	2.70	2.70	6.00	6.00	3.00	3.00	3.00	3.50			<u> </u>	3.74
Lansing	3.00	3.25	2.85	2.90	2.65	3.75	3.75	3.50	3.50			3.24
Newfield	2.75	2.50	3.25	3.00	3.25	3.00	3.00	3.75	4.00	4.25		3.28
South Seneca	1.45	2.75	3.25	3.25	3.50	3.50	3.50	3.50				3.09
Trumansburg	2.50	3.00	3.25	3.50	3.50	3.00	3.25	3.75	4.00			3.31
-	2.49	3.11	3.72	3.72	3.60	3.09	3.30	3.60	3.75	4.25		

#### RECENT AREA TEACHER CONTRACT SETTLEMENTS

#### **WAYNE - FINGER LAKES BOCES**

	2015- 2016	2016- 2017	2017- 2018	2018- 2019	2019- 2020	2020- 2021	2021- 2022	2022- 2023	2023- 2024	2024- 2025	2025- 2026	AVG.
Clyde-Savannah	2.25	3.50	3.25	3.25	3.00	2.0 + \$125	3.30	3.25	3.25	3.25		3.14
Dundee	3.30	3.40	2.50	4.00	3.25	3.25	2.75	2.75	2.75	2.75		3.07
Gananda	3.00	3.00	3.20	3.10	3.20	3.40	5.00	5.00				3.61
Geneva	3.00	3.50	3.50	2.50	3.00	2.50	2.50	2.70				2.90
Gorham- Middlesex	2.50	3.00	3.00	3.00	3.00	3.20	3.50	3.50	3.50			3.13
Honeoye	2.75	2.90	3.30	3.30	3.35	3.45	3.60	3.60	3.50	3.40		3.32
Lyons	2.70 + \$300	2.90 + \$700	2.90 + \$300	2.90 + \$200	3.10*	3.30*	*5.10	3.60	3.60	3.60		3.72
Manchester- Shortsville	2.50	3.00	2.50	2.50	2.50	4.50	4.50	4.00	4.00			3.33
Naples	2.50	2.50	2.60	3.50	3.45	3.35	3.25	3.50	3.50			3.13
Newark	3.00	3.00	3.00	3.25	3.10	3.20	3.30	3.30	3.30	3.30		3.18
Palmyra-Macedon	1.75 + \$500	2.75	2.75	2.75	3.25	3.25	3.25	3.25	3.50			3.09
Penn Yan	2.00	2.30	3.00	3.00	3.00	3.00	3.0% + \$125	3.0% + \$125				2.72
Phelps-Cl Springs	2.00	3.00	3.00	3.00	3.00	3.00	3.60	3.90				3.06
Romulus	5.00	3.00	3.00	3.00	2.75	2.75	2.75	3.75	3.75			3.31
Seneca Falls	3.00	2.75	2.50	2.00	3.00	3.00	3.00	\$1,200				2.75
Sodus	3.00	3.00	3.30	3.30	3.00	3.00	3.00	3.00				3.08
		ond 2016-1 on-step unit		nt settle-		0, 2020-21, 2 schedule, or						
Waterloo	1.95	3.00	3.00	3.50	3.50	3.25	3.25					3.06
Wayne	3.50	4.00	2.50	3.00	3.00	3.00	3.00	3.50	3.50			3.22
Williamson	2.50	2.60	2.50	3.00	3.00	3.75	3.15	3.80	3.50	3.25	3.25	3.12
	2.79	3.06	2.93	3.05	3.08	3.23	3.43	3.53	3.47	3.26	3.25	

<sup>\*</sup> Lyons: 2019-20 and 2020-21 + \$1,000 at 21 years; 2021-22 all unit members received an extra assignment

Denotes Current Contract Denotes Previous Contract

]	RECEN'	TAREA	NON-I	NSTRU	CTION	AL CO	NTRAC	T SETT	LEMEN	NTS		
CAYUGA-ONONDAG	A BOCES	5										
	2015- 2016	2016- 2017	2017- 2018	2018- 2019	2019- 2020	2020- 2021	2021- 2022	2022- 2023	2023- 2024	2024- 2025	2025- 2026	Avg.
BOCES		İ		İ	İ				İ			
Aides (CSEA)	2.50	2.50	2.50	2.70	2.75	2.80	1.99	1.99	1.99			2.41
Non-Instructional	2.50	2.50	2.70	2.75	2.80	2.80	1.99	4.00	4.00	4.00		3.00
Auburn												
Aides/Clerical (NYSUT)	2.00	2.60	2.60	2.60	2.90	2.85	2.80	2.75	2.75			2.65
Bus Drivers (CSEA)	2.25	2.60	2.60	2.60	2.95	2.95	2.95	2.90	2.90			2.74
Cust/Maint. (CSEA)	2.25	2.60	2.60	2.60	2.95	2.95	2.95	2.90	2.90			2.74
Nurses (SEIU)	2.50	2.50	2.50	2.50	2.50	2.50	2.50					2.50
Cato-Meridian		ĺ		ĺ	ĺ				İ			
Aides/Ass'ts (SEIU)	75¢/hr	75¢/hr	75¢/hr	50¢/hr	45¢/hr	45¢/hr	7.00	3.00	3.00			4.33
Bus Drivers (CSEA)	2.00	2.00	2.50	2.50	2.25	2.25	5.00	3.00	3.00	3.00		2.75
Cust./Maint. (CSEA)	2.00	2.00	2.50	2.50	2.25	2.25	5.00	3.00	3.00	3.00		2.75
Jordan-Elbridge					Ì							
Aides/Clerical(SEIU)	2.50	2.50	2.50	2.80	3.00	50¢+3.0	50¢+3.0	\$2+4.0	\$1.50+4.0	\$1.50+4.0		3.13
Bus Drivers	2.00	2.50	2.50	2.50	3.00	3.00	3.00	4.00	4.00	4.00		3.05
Cust./Maint (SEIU)	2.50	2.50	2.50	2.80	3.00	50¢+3.0	50¢+3.0	\$2+4.0	\$1.5+4.0	\$1.5+4.0		3.13
Cafeteria (SEIU)	2.50	2.50	2.50	2.80	3.00	50¢+3.0	50¢+3.0	\$2+4.0	\$1.5+4.0	\$1.5+4.0		3.13
Transportation	1.00	2.75	2.75	2.75	3.00	3.00	3.00	4.00	4.00	4.00		2.95
Moravia							On 1/1/ \$1.40/h					
Aides/Ass't (CSEA)	2.00	2.75	2.75	2.75	70¢/hr	2.75	70¢/hr	2.75				2.63
CSEA	2.00	2.75	2.75	2.75	70¢/hr	2.75	70¢/hr	2.75				2.63
Port Byron	+											
Aides (SEIU)	2.50	2.50	2.50	2.50	70¢/hr	70¢/hr	70¢/hr	70¢/hr				2.50
Cust./Maint. (CSEA)	2.00	2.50	2.50	2.50	70¢/hr	70¢/hr	70¢/hr	70¢/hr				2.38
Cafeteria (CSEA)	2.00	2.50	2.50	2.50	70¢/hr	70¢/hr	70¢/hr	70¢/hr				2.38
Nurse (CSEA)	2.00	2.50	2.50	2.50	70¢/hr	70¢/hr	70¢/hr	70¢/hr				2.38
Clerical (SEIU)	2.50	2.50	2.50	2.50	70¢/hr	70¢/hr	70¢/hr	70¢/hr				2.50
` ,												
Skaneateles	1	ļ		ļ								
Aides (CSEA)	2.60	2.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00			2.84
Tchr Ass't (CSEA)	2.60	2.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00			2.84
Cust./Maint (CSEA)	2.60	2.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00			2.84
Nurses (CSEA)	2.60	2.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00			2.84
Clerical (CSEA)	2.60	2.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00			2.84
So. Cayuga	1								1			
Aides (CSEA)	45¢/hr	45¢/hr	45¢/hr	50¢/hr	2.75	50¢/hr	3.25	3.25	3.25			3.13
Tchr. Ass't (CSEA)	45¢/hr	45¢/hr	45¢/hr	50¢/hr	2.75	50¢/hr	3.25	3.25	3.25			3.13
Bus Drivers (CSEA)	45¢/hr	45¢/hr	45¢/hr	50¢/hr	2.75	50¢/hr	3.25	3.25	3.25			3.13
Bus Mech (CSEA)	45¢/hr	45¢/hr	45¢/hr	50¢/hr	2.75	50¢/hr	3.25	3.25	3.25			3.13
Cust./Maint (CSEA)	45¢/hr	45¢/hr	45¢/hr	50¢/hr	2.75	50¢/hr	3.25	3.25	3.25			3.13
Cafeteria (CSEA)	45¢/hr	45¢/hr	45¢/hr	50¢/hr	2.75	50¢/hr	3.25	3.25	3.25			3.13

F	RECENT	AREA	NON-IN	ISTRUC	CTIONA	L CON	TRAC	Γ SETT	LEMEN	NTS		
CAYUGA-ONONDAG	A BOCES	cont'd										
	2015- 2016	2016- 2017	2017- 2018	2018- 2019	2019- 2020	2020- 2021	2021- 2022	2022- 2023	2023- 2024	2024- 2025	2025- 2026	Avg.
So. Cayuga cont'd												
Nurses (CSEA)	45¢/hr	45¢/hr	45¢/hr	50¢/hr	2.75	50¢/hr	3.25	3.25	3.25			3.13
Clerical (CSEA)	45¢/hr	45¢/hr	45¢/hr	50¢/hr	2.75	50¢/hr	3.25	3.25	3.25			3.13
Union Springs						İ						
Aides (SEIU)	2.50	2.50	*2.50	*2.50	*2.50	*2.50	\$1/hr	\$1/hr	\$1/hr	\$1/hr		2.50
Tchr. Ass'ts (SEIU)	2.50	2.50	*2.50	*2.50	*2.50	*2.50	\$1/hr	\$1/hr	\$1/hr	\$1/hr		2.50
Bus Drivers (CSEA)	2.50	2.50	2.50	3.00	3.00	3.00	\$1/hr	\$1/hr	\$1/hr	\$1/hr		2.75
Bus Mech (CSEA)	2.50	2.50	2.50	3.00	3.00	3.00	\$1/hr	\$1/hr	\$1/hr	\$1/hr		2.75
Cust/Maint. (CSEA)	2.50	2.50	2.50	3.00	3.00	3.00	\$1/hr	\$1/hr	\$1/hr	\$1/hr		2.75
Cafeteria (CSEA)	2.50	2.50	2.50	3.00	3.00	3.00	\$1/hr	\$1/hr	\$1/hr	\$1/hr		2.75
Nurses (SEIU)	2.50	2.50	*2.50	*2.50	*2.50	*2.50	\$1/hr	\$1/hr	\$1/hr	\$1/hr		2.50
Clerical (SEIU)	2.50	2.50	*2.50	*2.50	*2.50	*2.50	\$1/hr	\$1/hr	\$1/hr	\$1/hr		2.50
			* @ % +	\$250								
Weedsport	1	<u> </u>										
Aides (CSEA)	2.50	2.50	2.50	2.75	2.75	2.75	2.75	3.00	3.25			2.75
Bus Drivers (CSEA)	2.50	*2.50	*2.50	2.75	2.75	2.75	\$5/hr	3.00	3.25			2.83
	*Bus driv	ers @ % + 3	30¢			İ						
Bus Mech (CSEA)	2.50	2.50	2.50	2.75	2.75	2.75	\$5/hr	3.00	3.25			2.75
Cust/Maint. (CSEA)	2.50	2.50	2.50	2.75	2.75	2.75	2.75	3.00	3.25			2.75
Nurses, Clerical		•				ĺ					ĺ	İ
C-O BOCES Avg.	2.34	2.43	2.61	2.73	2.84	2.83	3.26	3.10	3.17	3.60		
	1	1		1				1	1	1		
BROOME-TIOGA BOCES												
Chenango Valley												
Non-Instruct. (NYSUT)	2.90	3.00	3.00	3.00	3.00	3.0 or 70¢/hr	3.0 or \$1/hr	3.0 or 70¢/hr	3.0 or 70¢/hr			2.98
Deposit												
CSEA	3.00	3.00	3.00	3.00	\$1/hr	4.00	50¢/hr					3.20
Maine-Endwell												
Cust./Maint.	50¢/hr	50¢/hr	75¢/hr	65¢/hr	60¢/hr		-			1		
Supp Staff	3.15	\$1150-	\$950-	\$850-	75¢/hr	75¢/hr	70¢/hr	80¢/hr	80¢/hr	80¢/hr		3.15
Supp Stail	3.13	\$1375	\$930- \$1225	\$1150			/U¢/nr		80¢/nr	80¢/nr		3.13
Transp	\$800	\$910- \$1625	\$860- \$1525	\$810 - \$1425	\$300 + 3.25	\$300 + 3.25	70¢/hr	70¢/hr	70¢/hr			3.25
Owego-Apalachin												
NYSUT	2.50	2.50	2.50	2.85	2.85	2.85						2.68
Union Endicott		İ										
Cafe. Workers	2.70	2.70	3.40	*3.00	*3.00	3.00	3.00			İ		2.96
Cent Office	2.70	2.70	3.40	3.00	3.00	3.00	3.00					2.97
Comp & Tech	2.70	2.70		3.00	3.00	3.00	3.00					2.97
Dist Office	2.70	2.70	3.40	3.00	3.00	3.00	3.00			İ		2.97
Maint. Workers	2.70	2.70	3.40	5.00	3.00	2.00	2.00					2.74
School Aides	2.70	2.70	3.40	3.00	*3.00	*3.00	12.9	3.00	3.00	3.00		4.21

	REC	ENT AR	EA NON-	INSTRU	CTION	AL CON	TRACT	SETTL	EMENT	S		
	2015- 2016	2016- 2017	2017- 2018	2018- 2019	2019- 2020	2020- 2021	2021- 2022	2022- 2023	2023- 2024	2024- 2025	2025- 2026	Avg.
BROOME-TIOGA BO	OCES con	ıt'd										
Vestal												
Paraprofessional			3.00	3.00	3.00	3.00						3.00
Employees		2.90	2.95	3.00								2.95
B-T BOCES Avg	2.75	2.73	3.17	3.15	2.98	2.98	4.48	3.00	3.00	3.00		
OSWEGO BOCES												
Hannibal												
CSEA	2.00	2.50	2.75	3.00	3.00	3.00	2.25	2.00				2.56
HEA	2.20	2.20	2.25	3.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00	2.79
TOMPKINS-SENEC	A-TIOGA	BOCES										
Dryden												
NYSUT	2.66	2.90	3.75	3.50	3.50	3.00	3.80	3.80				3.36
Groton												
CSEA	2.75	2.25	2.25	2.25	\$1.50/hr	3.00	60¢/hr	\$1.30-\$2	50¢/hr	3.00	3.00	2.64
Lansing			<u> </u>									
NYSUT	60¢/hr	3.00	50¢/hr	60¢/hr	75¢/hr	75¢/hr	\$1.29/hr					3.00
Newfield			<u> </u>									
CSEA	2.25	2.25	3.00	3.00	3.00	3.00						2.75
South Seneca												
Local	2.00	2.60	2.10	2.00	\$1.40-\$2	3.50	2.50	2.50				2.46
Trumansburg												
Local	2.50	50¢/hr	56¢/hr	3.50	3.00	3.25	3.50					3.15
T-S-T BOCES Avg.	2.43	2.60	2.78	2.85	3.17	3.15	3.27	3.15		3.00	3.00	
WAYNE-FINGER LA	KES BO	CES										
Clyde-Savannah							* 1.5% -	3%, based o	on years			
Supp Pers (CSEA)	2.50	3.50	3.50	3.50	3.50	2.50	*+70¢/hr	2.50	2.50	2.50		2.94
Transp.	2.00	3.75	3.60	3.50	3.50	75¢/hr	3.00	1.50	*00.00			2.55
							*up to \$	28.50/hr bas	ed on yrs			
Dundee	2.00	0.50	2.50	0.50	4.00	4.00	4.00	<b>6.05</b>	1.00	4.00	4.00	2.25
CSEA	2.00	2.50	2.50	2.50	4.00	4.00	4.00	\$.85 - \$1.80	4.00	4.00	4.00	3.35
Gananda												
CSEA	2.80	50¢/hr or 3.2%	70¢/hr or 3.2%	70¢/hr or 3.2%	75¢/hr	\$1.25/ hr	75¢/hr					2.80
Geneva				*for 5+ yr	s of service u	p to \$1.00						
CSEA	3.00	3.00	3.00	*5¢/hr/yrs	75¢/hr	75¢/hr	75¢/hr	\$1/hr	\$1/hr			3.00
Gorham-Middlesex (N	NYSUT)											
Bus Drivers	2.70	2.70	2.70	\$1/hr	\$1/hr	\$1/hr	\$1/hr	\$3/hr	\$1/hr	\$1/hr	\$1/hr	2.70
Cust./F Serv	2.70	2.50	50¢/hr	50¢/hr	3.00	3.00	\$1/hr	\$1/hr	\$1/hr	\$1/hr		2.80
Teacher Aides	2.70	2.70	50¢/hr	50¢/hr	3.00	3.00	3.75	\$1/hr	\$1/hr	\$1/hr		2.99

				N-INSTI	RUCTIO	NAL CO	NTRAC	r settl	EMENTS	S		
WAYNE-FINGER LA	KES BOO	CES con't										
	2015- 2016	2016- 2017	2017- 2018	2018- 2019	2019- 2020	2020- 2021	2021- 2022	2022- 2023	2023- 2024	2024- 2025	2025- 2026	Avg.
Honeoye							*+\$/hr ba	sed on years				
NYSUT	2.50	3.00	2.95	2.95	3.50	3.35	*3.30	3.30				3.08
Lyons												
NYSUT	2.50	1.80	1.80	1.80	2.90	2.90	2.90	2.90	2.90	2.90		2.53
		+54¢/hr	+54¢/hr	+54¢/hr	+70¢/hr	+70¢/hr	+70¢/hr	+90¢/hr	+90¢/hr	+90¢/hr		
Manchester-S'ville												
CSEA	2.50	2.50	2.50	35¢/hr	30¢/hr	60¢/hr	70¢/hr	70¢/hr				2.50
Naples									* greate	r of		
CSEA	2.70	2.80	2.90	2.90	3.50	3.50	3.75 (at least)	*3.9 or 70¢/hr	*3.9 or 70¢/hr	*3.9 or 70¢/hr		3.38
Navyouly			*or etarti	ng rate +1.29	% if greater			,	,	,		
Newark Custodians (CSEA)	2.40	2.00	* 50¢/hr	2.90	2.90	2.75	\$2.25/hr	\$1.75/hr	\$1.00/hr	\$1.00/hr		2.59
Tchr Aides/Asst	2.40	*2.25	*2.25	1.50	* 2.9 +	* 2.9 +	* 2.9 +	ψ1.75/III	ψ1.50/III	ψ1.50/III		2.39
(NYSUT)	2.00		% based on y		40¢/hr	35¢/hr OR Salary R	35¢/hr					2.57
		2.23-3.0	based on y	cars		OK Salary K						
Palmyra-Macedon	2.00	2.00	#2 400/	¢0.500/	¢2.500/	#2.500/	2.5	2.5	2.50			2.26
CSEA	2.90	2.90	\$2,400/ salary	\$2,500/ salary	\$2,500/ salary	\$2,500/ salary	3.5 \$2,600/ salary or	3.5 \$2,080/ salary or	3.50			3.26
			\$1.15/hr	\$1.20/hr	\$1.20/hr	\$1.20/hr	\$1.25/hr	\$1.00/hr				
Penn Yan												
CSEA	2.25	2.35	2.35	3.00	3.00	3.00	3.00	3.00	3.00			2.77
Phelps-Cl Springs (NYSUT)							On 1/1/ \$2.50/h					
Nurses/Food Serv/Bus Driver/Maint	2.00	3.00	3.00	3.00	2.25	3.50	3.50	2.00	2.50	2.50		2.73
Aides/Clerical	2.00	3.00	3.00	3.00	3.00	4.30	4.50	4.50				3.41
Damalaa												
Romulus CSEA	3.00	3.00	3.00	3¢/hr	3¢/hr	3¢/hr	3¢/hr			<u> </u>		2.91
CSEA	3.00	3.00	3.00	+2.85%	+2.85%	+2.85%	+2.85%					2.71
			or	48¢/hr	48¢/hr	48¢/hr	48¢/hr					
Seneca Falls												
NEA/NYSUT	3.00	2.75	2.50	2.00	3.00	3.00	2.50	2.00				2.59
Waterloo												
NEA/NYSUT	1.95	3.00	3.00	3.00	3.00	3.00	3.00					2.85
Wayne												
CSEA	2.90	2.90	2.70	2.90	5.00	4.25	4.00	4.00				3.58
				OR \$1.0	0/hr							
Williamson												
CSEA	1.75	2.00	3.50	3.25	3.00	3.00	3.00	2.75	2.75	2.75		2.78
WFL BOCES Avg.	2.41	2.76	2.85	2.83	3.11	3.37	3.51	2.87	2.70	2.77		

#### **AREA UNEMPLOYMENT RATES**

#### New York State Rate

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Ann. Avg.
2022	5.3%	5.1%	4.7%	4.2%	4.1%	4.3%	4.8%	4.9%	3.9%	3.6%			
2021	9.3%	9.2%	8.3%	7.7%	7.0%	7.5%	7.1%	6.7%	5.7%	5.3%	4.9%	4.5%	6.9%

#### Syracuse, NY Metropolitan Statistical Area

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Ann. Avg.
2022	4.0%	4.2%	3.9%	3.3%	3.2%	3.4%	3.7%	3.7%	3.1%	2.5%			
2021	6.6%	6.8%	6.2%	5.4%	4.9%	5.4%	5.2%	4.8%	4.0%	3.8%	3.4%	3.1%	5.0%

#### Cayuga County Statistical Area

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Ann. Avg.
2022	4.0%	4.3%	4.1%	3.2%	3.0%	3.2%	3.6%	3.7%	2.9%	2.3%			
2021	6.6%	6.6%	6.1%	5.0%	4.5%	4.9%	4.8%	4.6%	3.7%	3.5%	3.3%	3.0%	4.7%

#### **Broome County Statistical Area**

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Ann. Avg.
2022	4.5%	4.6%	4.3%	3.5%	3.3%	3.7%	4.1%	4.1%	3.3%	2.7%			
2021	7.1%	7.2%	6.5%	5.5%	5.0%	5.7%	5.5%	5.0%	4.2%	4.0%	3.6%	3.4%	5.2%

#### Ithaca, NY Metropolitan Statistical Area

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Ann. Avg.
2022	2.8%	3.0%	2.7%	2.3%	2.4%	2.8%	3.2%	3.0%	2.6%	2.1%			
2021	4.9%	4.8%	4.2%	3.7%	3.5%	4.4%	4.3%	3.9%	3.1%	3.0%	2.5%	2.2%	3.7%

#### Ontario/Seneca/Wayne/Yates Statistical Area

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Ann. Avg.
2022	3.6%	3.8%	3.6%	2.8%	2.7%	2.9%	3.1%	3.2%	2.6%	2.2%			
2021	5.8%	6.2%	5.7%	4.8%	4.2%	4.7%	4.4%	4.1%	3.4%	3.2%	2.9%	2.7%	4.3%

#### Rochester, NY Metropolitan Statistical Area

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Ann. Avg.
2022	3.9%	4.1%	3.8%	3.1%	3.1%	3.4%	3.7%	3.8%	3.1%	2.5%			
2021	6.6%	6.7%	6.1%	5.4%	4.9%	5.4%	5.1%	4.8%	4.0%	3.7%	3.4%	3.0%	4.9%

<sup>\*</sup> Please note that <u>2021</u> data has been updated as labor force statistics for all LAUS areas are revised each year as part of the benchmarking process. The annual benchmarking process is part of the nationwide reestimating procedure mandated by the U.S. Bureau of Labor Statistics.

Source: New York State Department of Labor Statistics

www.labor.state.ny.us

## **CONSUMER PRICE INDICES**

INDEX % INCREASE % INCREASE 1982-84 FROM FROM BASE YEAR=100 PRIOR MONTH PRIOR YEAR

-0.1

-0.2

### October 2022

NY-Northeastern New Jersey Area								
<ol> <li>All Urban Consumers</li> <li>Urban Wage Earners</li> </ol>	314.338	0.1	6.0					
& Clerical Workers	308.763	0.1	5.8					
U.S. City Average								
<ol> <li>All Urban Consumers</li> <li>Urban Wage Earner</li> </ol>	298.012	0.4	7.7					
& Clerical Workers	293.003	0.4	7.9					
November 2022								
NY-Northeastern New Jersey Area								
<ol> <li>All Urban Consumers</li> <li>Urban Wage Earners</li> </ol>	314.975	0.2	5.9					
& Clerical Workers	309.647	0.3	5.7					

297.711

292.495

U.S. City Average

1. All Urban Consumers

Urban Wage Earners
 & Clerical Workers

7.1

7.1

## **COST OF LIVING UPDATE**

#### **ALL CITIES**

#### **NY - NORTHEASTERN NEW JERSEY**

Month	Revised Wage	%	All Urban	%	Revised Wage	%	All Urban	%
T 20	Earner Index	0.5	Consumers Index	0.5	Earner Index	2.5	Consumers Index	2.4
Jan-20	258.0	2.5	251.4	2.5	282.0	2.5	276.1	2.4
Feb-20	251.9	2.3	258.7	2.3	276.4	2.3	282.6	2.4
Mar-20	251.4	1.5	258.1	1.5	276.0	1.8	282.0	2.0
Apr-20	249.5	0.1	256.4	1.1	274.9	1.1	280.6	2.4
May-20	249.5	-0.1	256.4	0.1	276.4	1.4	282.1	1.4
Jun-20	251.1	0.5	257.8	0.6	276.5	1.2	282.3	1.3
Jul-20	252.6	1.0	259.1	1.0	277.9	1.7	283.6	1.7
Aug-20	253.6	1.4	259.9	1.3	277.9	1.5	283.5	1.4
Sep-20	254.0	1.5	260.3	1.4	278.9	1.9	284.6	1.9
Oct-20	254.1	1.3	260.4	1.2	278.3	1.8	284.1	1.7
Nov-20	253.8	1.3	260.2	1.2	277.7	1.5	283.3	1.4
Dec-20	254.1	1.4	260.5	1.4	278.8	1.8	284.4	1.6
Jan-21	255.3	1.6	261.6	1.4	279.9	1.4	285.5	1.2
Feb-21	256.8	1.9	263.0	1.7	281.0	1.7	286.5	1.4
Mar-21	258.9	3.0	264.9	2.6	281.8	2.1	287.5	2.0
Apr-21	261.2	4.7	267.1	4.2	283.9	3.3	289.5	3.2
May-21	263.6	5.6	269.2	5.0	285.3	3.2	291.0	3.2
Jun-21	266.4	6.1	271.7	5.4	288.3	4.3	293.9	4.1
Jul-21	267.8	6.0	273.0	5.4	288.3	3.7	293.6	3.5
Aug-21	268.4	5.8	273.6	5.3	289.1	4.0	293.9	3.7
Sep-21	269.1	5.9	274.3	5.4	290.7	4.2	295.5	3.8
Oct-21	271.6	6.9	276.6	6.2	291.8	4.9	296.5	4.3
Nov-21	273.0	7.6	277.9	6.8	293.0	5.5	297.5	5.0
Dec-21	273.9	7.8	278.8	7.0	292.7	5.0	296.9	4.4
Jan-22	276.3	8.2	281.1	7.5	296.2	5.8	300.2	5.1
Feb-22	278.9	8.6	283.7	7.9	297.0	5.7	301.2	5.1
Mar-22	283.2	9.4	287.5	8.5	300.9	6.8	305.0	6.1
Apr-22	284.6	8.9	289.1	8.3	303.2	6.8	307.8	6.3
May-22	288.0	9.3	292.3	8.6	305.2	7.0	309.2	6.3
Jun-22	292.5	9.8	296.3	9.1	309.6	7.4	313.6	6.7
Jul-22	292.2	9.1	296.3	8.5	308.5	7.0	312.6	6.5
Aug-22	291.6	8.7	296.2	8.3	309.0	6.9	313.3	6.6
Sep-22	291.9	8.5	296.8	8.2	308.5	6.1	313.3	6.6
Oct-22	293.0	7.9	298.0	7.7	308.8	5.8	314.3	6.0
Nov-22	292.5	7.1	297.7	7.1	309.6	5.7	315.0	5.9
Dec-22								

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Inquiries regarding the District's non-discrimination policies should be directed to:

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