

DOJ Settlement Agreement and Impact Bargaining Agreement Questions

Today during professional development, the district shared a tool that will be implemented. Several members had questions about it, so I have included below a timeline of events to contextualize today's training, clarifications about it and the tool shared, and links for further reading.

On September 15, 2022, the US Department of Justice issued a settlement agreement the terms of which were compulsory for the district. Upon notification, the NBEA sent a demand to bargain to the district. The NBEA team, comprised of First Vice-President Garcia, Unit A Vice President Pearson, and Executive Board member Justin Mare, accompanied by MTA representative David Ashley met with the district on September 26th. The team bargained the impact of the US Department of Justice's settlement agreement.

The agreement articulates that "All training of employees represented by the Union that is required by the DOJ Agreement will occur during the work day for such employees." You received training today, which was in keeping with the terms of the agreement.

Additionally, "Nothing in the DOJ Agreement replaces Appendix D of the NBEA Unit A collective bargaining agreement between the Union and the New Bedford School Committee." This means that the observation tool you were trained on today happened during a time that was in keeping with the terms bargained by the NBEA.

Finally, the observations, training, and the tool itself are products of the settlement agreement. The DOJ outlined the terms and conditions of the tools it has mandated, and the district must be in compliance with those terms. If an educator requires any additional training, that training would happen during admin-directed time, or time will be allocated within a workday and duties substituted, to allow time for completion of said training. Again, these terms were outlined in the Us Department of Justice Settlement Agreement and are compulsory for all district educators.

I hope this helps to answer any questions that you may have had.

For Additional information, I have posted a link to the DOJ Settlement Agreement here:

<https://www.justice.gov/opa/pr/justice-department-secures-agreement-massachusetts-school-district-ensure-equal-educational#:~:text=The%20Justice%20Department%20today%20announced%20a%20settlement%20agreement,inclusing%20speakers%20of%20K%E2%80%99iche%E2%80%99%2C%20an%20Indigenous%20Mayan%20language.>

The DOJ Settlement Agreement can be found in the Members Contract Section of the NBEA Website:

<https://nbeducators.org/contracts/>