

My name is Mark Barlow and I am the North District Commissioner for the Burlington Board of School Commissioners. My statements reflect my personal views and should not be construed as an official position by the Burlington Board of School Commissioners. Our board has not discussed or taken an official position on S.157.

I have served on the Burlington School Board for almost three years including two years on the Board's committee involved in contract negotiations with the Burlington Education Association (BEA). During my time in office, our Board has voted in both 2016 and 2017 to exercise finality of decision and impose employment policies on the BEA, and each time only after unsuccessful negotiations lasting many months had exhausted opportunities for settlement provided through current legal impasse procedures.

In both 2016 and 2017 significant differences remained in bargaining positions after completion of impasse procedures, and each time our Board believed we would expose the district to significant risk, under status quo doctrine, by simply continuing to negotiate with the union beyond the end of impasse procedures and with the previous contract expired. Imposition was the legal tool available to our board to minimize those risks.

The BEA responded to both impositions with threats of strike, the tool that teacher unions have available to them under current collective bargaining law. In 2016 a BEA strike was narrowly averted through a last minute agreement but in 2017 the BEA went out on strike for four days in September before a subsequent mediation led to an agreement.

Imposition and Strike are bad for communities they affect, whether only threatened or actually realized. I've had a front row seat these last two years and I can tell you that the stress level and worry in our schools and throughout Burlington during negotiations in the months leading up to imposition and during the strike threat, was difficult for our city. I received, as did all board members, countless email messages and phone calls from concerned and worried constituents. The pro-union yard signs, and the heated rhetoric in public meetings and on social media, divided and polarized us. And of course, the four day strike in September was incredibly disruptive for working families with school children who were without an essential public service they depended on. Burlington is still feeling the fallout from the strike months after it's end and the relationship between the Board and BEA continues to be cool, fragile, and a topical issue in some upcoming school board elections.

Last September as a BEA strike seemed imminent, a group of Burlington legislators issued a statement that acknowledged how damaging that action would be to the community. They asked our Board to rescind the imposition and asked the teachers to hold off on a strike so long as good faith bargaining efforts were underway. They wrote that *“the city of Burlington deserves no less”*. In the aftermath of the strike I’ll turn this request back on the Legislature - If you don’t want boards and unions to use the tools provided to them under Vermont law to resolve differences, then change the law and give us different tools.

The current law does not encourage a healthy dynamic between boards and unions and subjects communities to unnecessary stresses. After two years doing school board negotiations I am of the opinion that this dynamic will not change without reform. I also believe that against the backdrop of growing financial constraints and cost containment pressure on Vermont school districts, the recent experiences of Burlington will become more common. Modernize and reform our collective bargaining system. Restructure the law with sufficient incentives toward cooperation and timely settlement, and create disincentives for delay and brinkmanship. Vermont communities deserve no less.

Mark Barlow

1/16/2018