



COLORADO
Department of
Labor and Employment

Executive Director's Office
633 17th Street, Suite 1200
Denver, CO 80202-3660

February 6, 2019

Henry Roman
President, Denver Classroom Teachers Association
1500 Grant St.
Suite 200
Denver, Colorado 80203

Susana Cordova
Superintendent, Denver Public Schools
1860 Lincoln St.
Denver, CO 80203

Dear Denver Classroom Teachers Association and Denver Public Schools
Administration:

The Colorado Department of Labor and Employment (CDLE) has decided to not intervene at this time in the labor dispute between Denver Public Schools (DPS) and the Denver Classroom Teachers Association (DCTA). We believe that the two parties are very close to a resolution and have largely achieved a mutual understanding of the facts in the areas of dispute. The Colorado Department of Labor and Employment believes, given our current understanding of how close the parties are, that the process should proceed without state intervention.

State law allows the Executive Director of the Colorado Department of Labor and Employment to assert jurisdiction at any time, if it is deemed to be in the interest of the state. Should the factors mentioned above change, or a strike occur or be needlessly prolonged due to bad faith or a breakdown of the current negotiations process, the state may need to assert jurisdiction to resolve the dispute. We are also aware of the hardships a strike might inflict on Colorado children and families. For all of these reasons, we will be watching closely as the parties return to the negotiating table.

A strike is an effort of last resort, and one where the ramifications are immense, unpredictable and costly. Each day that the classroom teachers are striking DPS estimates it could cost over \$400,000. Once this money is spent to cover costs related to the strike, it's gone. That money will no longer be available to resolve the underlying pay dispute. Additional costs will be inflicted upon Denver families should



schools not be able to offer full services, and teachers going without wages will also bear the cost burdens of a strike in ways that are difficult to calculate.

We strongly encourage both sides to use the days prior to a strike commencing to get to a resolution and finalize a contract. We believe that resolution is not only possible, but highly achievable, given how close the parties truly are.

Summary of Current Disagreements:

Teacher salaries: \$300 difference.

Teacher Starting Salary	DPS Current	DPS Proposal	DCTA Proposal	Boulder Valley Comp*	Adams 12 Comp*
2019-20	\$43,255	\$45,500	\$45,800	\$47,726	\$40,783

*Assumes a 3% inflation increase for the 2019-20 school year

Incentives: Title 1 schools \$750, Top 30 Poverty Schools \$2,500 differences.

There is a disagreement on incentives for teachers who choose to serve Title 1 schools. A Title 1 school is a school with a large concentration of low-income students. The parties are \$750 apart for one-time incentives given to teachers who choose to teach in these low income schools.

Difference amounts to roughly \$3.5 million a year.

The parties are \$2,500 apart for one-time incentives for teachers that serve in the top 30 poverty schools, these are schools that have high rates of students experiencing poverty, mobility challenges and higher rates of English language learners. It's important to note, the parties do not agree on how these schools are selected, in addition to being the furthest apart on incentive amounts for one time bonuses to teachers.

Difference amounts to roughly \$3 million a year.

Incentives:

Status	School Type	DPS Proposal	DCTA Proposal	Difference
Agreement	Ten Distinguished Schools	\$750 annual	\$750 annual	- -



Disagreement	Title 1 Schools	\$2,500 annual	\$1,750 annually	\$750
Agreement	Hard to Fill Positions	\$2,500 annual	\$2,500 annually	- -
Disagreement	High Priority Schools (often referred to as the top 30 poverty schools)	\$2,500 annual	\$0 annually	\$2,500
Agreement	All Schools	\$1,000 in tuition reimbursement or student loan repayment in each school year \$6,000 career maximum	\$1,000 in tuition reimbursement or student loan repayment in each school year \$6,000 career maximum	- -

Pay Scale for Teachers and Professional Development:

The parties do not yet fully agree on the pay scale and means for professional development and continuing education for teachers but conceptually agree on moving towards a step and lane system.

While parties do not yet have absolute agreement on costs of these competing proposals due to a lack of meaningful dialogue on definitions of professional development units and guardrails. Both sides conceptually agree to rewarding meaningful professional development with guardrails.

Cost estimate: The parties do not agree on the cost of the overall DCTA proposal. The Office of State Planning and Budget (OSPB) estimates that this proposal would cost \$28.4 million in the first year based off the voluntary data provided. In later years, OSPB estimates that 10-20% of teachers would advance lanes annually, dependent on the specific definitions and restrictions of professional development and in-service credits that both parties acknowledge should be part of a final agreement.

(See further analysis below).



<u>District</u>	<u>Credit Hours</u>	<u>Professional Development</u>	<u>In-Service</u>	<u>Lane Change %</u>
Adams 12	X	X	X	13%
Jeffco	X			3%
Boulder Valley	X	X		N/A - Recent policy changes
Brighton 27J	X			16%
Aurora	X			10%
DPS Proposal	X			
DCTA Proposal	X	X (PDUs)	X	

Cost of Lane Advancement

DPS estimates that lane advancement will cost an additional \$9.8M each year. It's important to note that this does not account for turnover. In other districts, and in DPS's first year cost model, lane advancement is at least partially offset by turnover. As DPS has a significant turnover rate, this should provide an even greater constraint on lane advancement as a driver of ongoing cost growth.

Annual Cost Growth Due to Lane Advancement (DCTA Proposal)	Cost Growth (After First Year)
DPS Assumption (Formal)	\$10.9M/year (80% Lane Advancement)
DPS Assumption (Informal)	\$6.9M/year (50% Lane Advancement)
OSPB Assumption (Low)*	\$1.4M/year (10% Lane Advancement)



OSPB Assumption (High)*	\$2.8M/year (20% Lane Advancement)
-------------------------	------------------------------------

*Assuming lane advancement methods and guardrails defined similarly to those in other regional districts

Accordingly, we have decided not to intervene under Section 8-1-125. We appreciate the patience and cooperation of both sides as our agency has gathered the necessary information to come to this decision. We wish DPS and DCTA the best of luck in future negotiations as they work to close the divide, and bring a resolution to this dispute. Our agency stands ready to support both sides should we be needed.

Sincerely,



Joe Barela
Executive Director

- Cc: Mark Ferrendino, Chief Financial Officer, DPS
Michelle Berge, General Counsel, DPS
Amie Baca-Oehlert, President, CEA
Kathy Rendon, Deputy Executive Director and Manager, CEA
Pam Shamburg, Executive Director, Denver Uniserv
Cory Kern, Deputy Executive Director, Denver Uniserv
Erik Bradberry, Legal Counsel, CEA
Alexandra Hall, Director of the Division of Labor Standards and Statistics, CDLE

