



# THE ADVOCATE

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Providing comprehensive  
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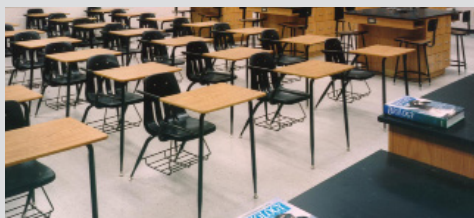
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*Happy Holidays from the  
Office of Personnel Relations*

# Student Enrollment



Here is the scenario: an 18 year-old student comes to a district and requests to be enrolled. Per 8 NYCRR § 100.2(y)(3), a district must enroll and allow attendance of the student on the next school day, or as soon as practicable, after a request for enrollment from the parent or applicable child. What happens next? According to Education Law, its regulations and state court cases, the parent, person in parental relationship or child has the burden to prove: (1) physical presence in the district; and (2) intent to remain in the district. See NY Educ. Law § 3202(1); 8 NYCRR § 100.2(y)(1); *Longwood CSD v. Spring UFSD*, 1 N.Y.3d 385, 389–90 (2004).

The regulations go on to state that the parents, persons in parental relationship or child must submit proof of residence within three (3) business days after initial enrollment to the board of education or designee. Next, the board or designee must decide no later than the fourth business day after enrollment if the student is a resident. See 8 NYCRR § 100.2(y)(3). The Commissioner's regulations state that prior to the residency determination, the district must give the parent, person in parental relation or child the opportunity to submit information concerning the child's right to attend school in the district. The Commissioner said that the opportunity must be adequate and meaningful, but does not require a face to face meeting, formal hearing or representation by counsel. See *Appeal of N.R.C.*, 53 Ed Dept Rep, Decision No. 16586 (2014).

What constitutes proof of residence? Physical presence in a district is, alone, not enough to prove residence. See *Appeal of S. and S. R.*,

31 Ed Dept Rep, Decision No. 12629 (1992). In order to determine physical presence, a district can request information from a parent or person in parental relation that "they have total and permanent custody and control, and describ[e] how they obtained total and permanent custody and control, whether through guardianship or otherwise." See 8 NYCRR § 100.2(y)(3)(i)(c). If the parents are divorced with joint custody and the time is divided equally between the parents, the Commissioner allows the family to pick the student's residence. See *Appeal of L.J.*, 58 Ed Dept, Decision No. 17486 (2018). However, if time is not divided equally between parents, the traditional test of physical presence and intent to remain applies. See *id.* Other evidence of physical presence includes:

1. Statements from third parties relating to physical presence in the district; See 8 NYCRR § 100.2(y)(3)(i)(b)(3);
2. Pay stubs, income tax, utility or other bills, membership documents (e.g., library cards) based upon residency, voter registration documents, official driver's license, learner's permit or non-driver identification, state or other government issued ID, documents issued by federal, state or local agencies (e.g., local social service agency, federal Office of Refugee Resettlement), or evidence of custody. See 8 NYCRR § 100.2(y)(3)(i)(d).

Moreover, a student's legal school district of residence is generally presumed to be the district in which the student's parents or legal guardian reside, even after the student turns 18. The Commissioner has found that if a parent continues to provide financial support for room, board, clothing and other necessities, as well as retains control over medical and educational decisions, custody and control is not deemed relinquished. See *Appeal of Students Suspected of Having a Disability*, 51 Ed Dept Rep, Decision No. 16283 (2011). This presumption is also not rebutted if the parent would allow the student to return home in the future. See 36 Ed Dept Rep, Decision No. 13661, *supra*. The presumption can be

rebutted if there is family conflict/hardship or “upon a determination that there has been a total, and presumably permanent, transfer of custody and control to someone residing in the district...While it is not necessary to establish parental custody and control through a formal guardianship proceeding, it is necessary to demonstrate that a particular location is a child’s permanent residence and that the individual exercising control has full authority and responsibility with respect to the child’s support and custody.” See *Appeal of P.C.*, 47 Ed Dept Rep, Decision No. 15653 (2007); *Appeal of A.P.*, 45 Ed Dept Rep, Decision No. 15293 (2005); *Appeal of Y.R.*, 42 Ed Dept Rep, Decision No. 14886 (2003). Additionally, the Commissioner said that responsibility for a child does not automatically terminate after a child turns 18, which means the presumption of parental residence continues after his/her 18<sup>th</sup> birthday. See NY Family Court Act § 413; *Appeal of a Student with a Disability*, 50 Ed Dept Rep, Decision No. 16190, n. 3 (2011).

The presumption can also be overcome if the student is an emancipated minor. The four elements necessary to prove the student is an emancipated minor are: (1) he or she is beyond the compulsory school age; (2) is living separate and apart from his or her parents in a manner inconsistent with parental custody and control; (3) is not receiving financial support from his or her parents; and (4) has no intent to return home. See 50 Ed Dept Rep, Decision No. 16190, *supra*.

What constitutes intent to remain in the district? Intent must be established by indicating the student will not go back to his/her previous district. Intent is determined by examining “whether a living arrangement is indeed temporary... [by] consider[ing] evidence regarding the family’s continuing ties to the community and their efforts to return [to another district].” See *Appeal of A. and L. N. Y.*, 49 Ed Dept Rep, Decision No. 15989 (2009). Commissioner’s decisions make it clear that if the sole reason a child has moved to another district is to take advantage of the schools, the child has not established a new residence. See *Appeal of A.M.*, 36

Ed Dept Rep, Decision No. 13661 (1996). Moreover, “A person’s temporary absence from a school district of residence does not necessarily constitute either the establishment of a residence in the district where one is temporarily located, or the abandonment of one’s permanent residence.” See 49 Ed Dept Rep, Decision No. 15989, *supra*.

Finally, upon determination that a child is not a resident of the district, the district must submit written notice of the determination within two (2) business days to the parent, person in parental relation or child. The notice must include the following information:

1. That the child is not entitled to attend school in the district;
2. Specific basis for determination that the child is not a resident in district;
3. The date the child will be excluded from school; and
4. Determination can be appealed to Commissioner of Education, in accordance with Education Law § 310, within 30 days of date of determination and that the instructions, forms and procedures for taking such an appeal, including translated versions of such instructions, forms and procedures, may be obtained from the Office of Counsel or by calling the Appeals Coordinator at (518) 474-8927. See 8 NYCRR § 100.2(y)(6).

Going back to the original scenario, the district would have to allow the 18 year-old student to initially enroll. However, the student and/or parent would have to prove residence and an intent to remain. Despite the student being 18 years old, there would still be a presumption that the student’s legal residence is with his/her parent(s)/legal guardian, which could only be rebutted by clear evidence that the parent(s) are no longer providing any support to the student, the student is an emancipated minor or there are family issues.

# Extracurricular Positions and the Fair Labor Standards Act



Every school district maintains a lengthy list of athletic and extracurricular positions which staff members may apply to fill. A designated stipend is commonly paid. These extra roles are generally filled by teachers, but not always. Non-instructional staff are also eligible. Although a qualified applicant for an extracurricular role could potentially have any “day job” within a school district, federal wage and hour laws do not view all applicants equally. Non-instructional employees serving in extracurricular positions are affected by wage and hour laws differently than members of the instructional staff. The primary effect is overtime. If extracurricular work pushes non-instructional employees above 40 hours per week of service to the school district, overtime must be paid unless a specific exception applies.

The federal law at issue is the Fair Labor Standards Act (“FLSA”). The FLSA states that employees, by default, are entitled to time-and-a-half overtime pay for all working time in excess of 40 hours during a single workweek. Working time includes all services provided to the employer. In a school district, this would include after-school time spent on extracurricular coaching or advising roles.

However, the FLSA also contains a myriad of overtime exceptions for certain types of employees. Instructional staff receive an exemption. All instructional staff, regardless of salary, are exempt from overtime if their primary job duty involves teaching, tutoring, instructing, or lecturing to impart knowledge to students. In

addition to regular classroom teachers, this exemption includes school counselors, administrators, curriculum specialists, and instructional coaches. No matter how many hours per week an instructional staff member works, there are no overtime requirements as long as teaching remains the primary job responsibility. Thus, taking on extracurricular coaching or advising responsibilities would not normally generate any overtime for teachers.

Most non-instructional personnel who work in school districts are not exempt from overtime. They must be paid time-and-a-half for all work time in excess of 40 hours. For example, if a full-time custodian working 40 hours per week takes on an additional role as a coach, any additional time spent in that role would push him past 40 hours. Because the extra time would be in the service of the school district, it would count as working time under the FLSA. If the coaching role demands 15 hours of time in a given week, the employee would be eligible for 15 hours of overtime pay. The fact that the coaching position comes with a stipend would not override the overtime requirement. The custodian would receive the stipend as well as 15 additional time-and-a-half hours at his regular or blended hourly rate.

Many school districts inadvertently overlook the overtime implications of non-instructional personnel in extracurricular roles. Some school districts, upon discovering the need to pay overtime, have been forced to cut certain sports because of the increased coaching costs. According to the National Federation of State High School Associations, approximately 40% of all complaints filed with the U.S. Department of Labor’s Wage and Hour Division have involved non-exempt school employees seeking to recover unpaid minimum wage and overtime from their school districts. If the employee is successful, the monetary award is generally three years of overtime back pay. That amount is then *doubled* as a form of compensatory damages.



Fortunately for school districts, the FLSA is full of loopholes. Some school districts have avoided overtime by classifying extracurricular assignments as “volunteer” time. Volunteer time is not subject to overtime, even if it is performed by a non-instructional school district employee in the service of his or her own school district. For example, if the hypothetical custodian introduced above were able to classify the 15 hours of extracurricular coaching work as volunteer time, his actual compensated working time would remain 40 hours per week. He would not receive overtime.

The FLSA sets strict requirements for volunteer work. The services must be provided freely and without coercion. If a staff member is assigned to an extracurricular role, it can never be considered volunteer work. Additionally, the volunteer work must be wholly distinct from the employee’s normal day job. For the hypothetical custodian, that would not be an issue. Clearly, coaching a sports team is distinct from custodial work. However, a person who works as a bus driver during the day cannot drive a sports team to an away game in a volunteer capacity. The extra bus run would be considered compensable work time, subject to overtime limits. Likewise, a person who works as a food service helper or cashier in the cafeteria during the day cannot work in a stadium concession stand in a volunteer capacity. But, because this is the FLSA, there are loopholes within loopholes. Note that the distinctness requirement does not apply if the employee’s son or daughter is associated with the extracurricular role. In the examples above, the bus driver or cashier could still perform their “day” role on behalf of a sports team in a volunteer capacity, but *only* if their own child is a member of the team.

Fortunately, the FLSA does not require “volunteer” work to be strictly uncompensated. Some money may change hands. Pursuant to federal regulations,

an extracurricular role may still be considered volunteer work even if it involves reimbursement of expenses, reasonable benefits, and/or a “nominal fee.”

The Department of Labor has held that a cash stipend paid to a school employee to perform an extracurricular role may, under some circumstances be considered a “nominal fee.” In order to qualify as a “nominal fee,” a cash stipend must adhere to two strict requirements. First, the amount of the stipend must be no more than 20% of the amount which the school district would need to pay for a dedicated person to perform the role. For example, if a school district could show that it would cost \$10,000 to hire or contract with an individual to serve as the assistant coach for a sports team over the entire course of a season, the school district would be permitted to pay a stipend of \$2,000 for a staff member in an extracurricular capacity. If the stipend were any larger, the assistant coach position could *not* be considered a volunteer position and time spent performing it would be subject to overtime. Second, the amount of the stipend must not be tied to any performance criteria. For example, a coaching stipend must be the same amount whether the team finishes first or last. That is generally true for most school districts’ stipends, although some districts do provide additional pay if the sports team makes the playoffs. That arrangement could present a situation where coaching time during the regular season would be exempt from overtime, but coaching time in the post-season would not.

In conclusion, overtime is one of the most complicated facets of employment law. The FLSA’s loopholes can be beneficial to school districts, but they must be followed exactly. Whenever a non-instructional staff member is considered for an extracurricular coaching or advisory role, a school district should always consult with a labor relations specialist or counsel to determine which loopholes may apply.

## RECENT AREA TEACHER CONTRACT SETTLEMENTS

CAYUGA-ONONDAGA BOCES												
	2011-2012	2012-2013	2013-2014	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019	2019-2020	2020-2021	2021-2022	AVG.
BOCES	1.50	1.75	2.25	2.25	2.25	2.50	2.70	2.75	2.80			2.31
Auburn	3.00	0.00	2.25	2.25	2.60	2.60	2.60	2.70	2.75	2.80	2.85	2.40
Cato-Meridian	3.80	2.00	2.00	2.00	2.70	2.60	2.50	2.85	2.85			2.59
Jordan-Elbridge	0.50	2.01	2.18	2.50	2.50	2.50	2.80	2.80	2.80			2.29
Moravia	2.00	2.00	0.00	2.50	2.50	2.50	2.90	2.85	2.80			2.23
Port Byron	2.00	2.00	2.00	2.00	2.50	2.60	2.70	2.60				2.30
Skaneateles	1.50	1.50	1.50	2.50	2.60	2.75						2.06
So. Cayuga	2.00	2.00	2.00	2.25	2.25	2.75	2.75	2.75				2.34
Union Springs	2.00	2.00	2.00	2.00	2.50	2.50	2.50	2.75	2.80	2.85		2.39
Weedsport	0.00	2.00	2.00	2.00	2.50	2.50	2.75	2.75	2.75			2.14
	<b>1.83</b>	<b>1.73</b>	<b>1.82</b>	<b>2.23</b>	<b>2.49</b>	<b>2.58</b>	<b>2.69</b>	<b>2.76</b>	<b>2.79</b>	<b>2.83</b>	<b>2.85</b>	
BROOME-TIOGA BOCES												
Chenango Valley	2.75	2.75	2.75	2.75	2.75	2.75	2.75	\$2,000	3.00	3.00	3.00	2.81
Deposit	2.50	2.00	2.50	2.50	3.00	3.00	3.00	2.99				2.69
Maine-Endwell	4.50	4.50	2.60	2.80	2.95	2.95	2.95	2.95				3.28
Owego-Apal.	2.95	2.95	2.00	2.00	2.95	2.85	2.75					2.64
Union-Endicott	2.70	2.70	2.70	2.70	2.60	2.90	2.90	3.50	3.50	3.00	3.00	2.93
Vestal		\$1,500	2.60	2.95	2.95	2.95	3.00	3.00	3.00	3.00		2.93
Whitney Point	3.50	0.00	2.20	2.20	2.50	2.60	2.70					2.24
	<b>3.15</b>	<b>2.48</b>	<b>2.48</b>	<b>2.56</b>	<b>2.81</b>	<b>2.86</b>	<b>2.86</b>	<b>3.11</b>	<b>3.17</b>	<b>3.00</b>	<b>3.00</b>	
GENESEE VALLEY BOCES												
Geneseo	2.00	2.00	2.00	3.00	3.00	3.00	3.75	3.60	3.50			2.87
OSWEGO BOCES												
Hannibal	0.00	1.75	1.75	2.20	2.20	2.20	2.75	3.00	3.00	3.00		2.19
Oswego	0.00	1.75	2.00	2.00	2.00	0.00	3.00	3.00	3.00			1.86
	<b>0.00</b>	<b>1.75</b>	<b>1.88</b>	<b>2.10</b>	<b>2.10</b>	<b>1.10</b>	<b>2.88</b>	<b>3.00</b>	<b>3.00</b>	<b>3.00</b>		
TOMPKINS-SENECA-TIOGA BOCES												
BOCES	4.00											4.00
Candor		2.00	2.00	1.5 + \$1000	1.5 + \$1000	2.0 + \$500						1.80
Dryden	2.60	3.00	3.00	3.00	3.00	3.05						2.94
Groton	3.50	3.50	2.50	2.60	2.70	2.70	6.00	6.00	6.0/5.0/4.0			3.83
									% depends on years			
Ithaca	2.00	2.00	2.00	2.00	2.00	4.50	\$1,930	3.00				2.50
Lansing	3.50	2.70	2.70	3.00	3.00	3.25	2.85	2.90	2.65			2.95
Newfield	2.00	2.00	3.00	3.50	2.75	2.50	3.25	3.00	3.25			2.81
South Seneca	1.50	1.50	2.45	2.45	1.45	2.75	3.25	3.25				2.33
Trumansburg	2.70	2.70	3.00	3.00	2.50	3.00	3.25	3.50	3.50			3.02
	<b>2.73</b>	<b>2.43</b>	<b>2.58</b>	<b>2.79</b>	<b>2.49</b>	<b>3.11</b>	<b>3.72</b>	<b>3.61</b>	<b>3.60</b>			

## RECENT AREA TEACHER CONTRACT SETTLEMENTS

### WAYNE - FINGER LAKES BOCES

	2011-2012	2012-2013	2013-2014	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019	2019-2020	2020-2021	2021-2022	AVG.
BOCES	1.90	1.90	2.50	2.45	2.45	3.00	3.00					2.46
Bloomfield	3.60	3.35	1.98	2.00	2.00							2.59
Canandaigua	3.85	2.00	2.69	2.65	2.57							2.75
Clyde-Savannah	5.00	2.25	2.25	2.25	2.25	3.50	3.25	3.25	3.00			3.00
Dundee	2.60	2.50	2.50	3.00	3.30	3.40	2.50	4.00	3.25	3.25		3.03
Gananda	2.75	2.60	2.60	2.75	3.00	3.00	3.20					2.84
Geneva	4.15	2.00	2.00	2.00	3.00	3.50	3.50	2.50				2.83
Gorham-Middlesex	2.25	2.25	2.50	2.50	2.50	3.00	3.00	3.00	3.00			2.67
Honeoye	2.50	2.50	2.50	2.75	2.75	2.90	3.30	3.30	3.35	3.45		2.93
Lyons	3.37	3.88	2.50 + \$1,000	2.50 + \$600	2.70 + \$300	2.90 + \$700	2.90 + \$300	2.90 + \$200				2.95
Manchester-Shortsville	1.80	2.00	2.00	2.00	2.50	3.00	2.50	2.50	2.50			2.31
Marion	2.80	2.00	2.00	2.40	2.25	3.00	3.25	3.50	3.65			2.29
Naples	2.25	2.25	2.25	2.25	2.50	2.50	2.60	3.50	3.45	3.35	3.25	2.74
Newark	2.50	1.25	2.50	2.50	3.00	3.00	3.00	3.25	3.10	3.20		2.73
N Rose-Wolcott	1.00	2.47	1.90	2.00	2.30							1.93
Palmyra-Macedon	3.90	2.48	3.90	2.50	1.75 + \$500	2.75	2.75	2.75				3.00
Penn Yan	2.29	2.29	1.90	2.00	2.00	2.30	3.00	3.00	3.00			2.10
Phelps-Cl Springs	2.89	2.89	2.00	2.00	2.00	3.00	3.00	3.00	3.00			2.64
Red Creek	2.75	2.75	2.50	2.40	2.40	4.00	3.25	3.00	2.50			2.84
Romulus	3.50	3.50	1.50	1.50	5.00	3.00	3.00	3.00				3.00
Seneca Falls	3.50	3.45	2.00	2.00	3.00	2.75	2.50	2.00				2.65
Sodus	3.80	2.00	2.00	2.20	3.00	3.00	3.30	3.30				2.83
					* 2015-16 and 2016-17 3.0 percent settlement for on-step unit members							
Victor	4.00	2.00	2.50	2.50	3.10	3.10	3.10					2.90
Waterloo	3.72	2.00	1.50	1.75	1.95	3.00	3.00	3.50	3.50	3.25	3.25	2.77
Wayne	3.00	2.00	3.00	2.00	3.50	4.00	2.50	3.00	3.00	3.00	3.00	2.90
Williamson	3.00	2.00	2.25	2.50	2.50	2.60	2.50	3.00	3.00	3.75	3.15	2.75
	<b>3.03</b>	<b>2.41</b>	<b>2.29</b>	<b>2.27</b>	<b>2.70</b>	<b>3.10</b>	<b>2.94</b>	<b>3.05</b>	<b>3.06</b>	<b>3.32</b>	<b>3.16</b>	

Denotes Current Contract  
Denotes Previous Contract

**RECENT AREA NON-INSTRUCTIONAL CONTRACT SETTLEMENTS**

<b>CAYUGA-ONONDAGA BOCES</b>												
	<b>2011-2012</b>	<b>2012-2013</b>	<b>2013-2014</b>	<b>2014-2015</b>	<b>2015-2016</b>	<b>2016-2017</b>	<b>2017-2018</b>	<b>2018-2019</b>	<b>2019-2020</b>	<b>2020-2021</b>	<b>2021-2022</b>	<b>Avg.</b>
<b>BOCES</b>												
Aides (CSEA)	2.00	2.00	2.00	2.00	2.50	2.50	2.50	2.70	2.75	2.80		2.38
Tchr. Ass't	2.00	2.00	2.00	2.00	2.50	2.50	2.70	2.75				2.31
Non-Instructional	2.00	2.00	2.00	2.00	2.50	2.50	2.70	2.75				2.31
<b>Auburn</b>												
Aides/Clerical (NYSUT)	3.35	3.00	1.00	2.00	2.00	2.60	2.60	2.60				2.39
Bus Drivers (CSEA)	3.30	2.90	0.00	2.25	2.25	2.60	2.60	2.60				2.31
Cust/Maint. (CSEA)	3.30	2.90	0.00	2.25	2.25	2.60	2.60	2.60				2.31
Nurses (SEIU)	2.00	0.00	2.00									1.33
<b>Cato-Meridian</b>												
Aides/Ass'ts (SEIU)	4.75	50¢/hr	50¢/hr	50¢/hr	75¢/hr	75¢/hr	75¢/hr					4.75
Bus Drivers (CSEA)	2.00	2.00	2.00	2.00	2.00	2.00	2.50	2.50	2.25	2.25		2.15
Cust./Maint. (CSEA)	2.00	2.00	2.00	2.00	2.00	2.00	2.50	2.50	2.25	2.25		2.15
<b>Jordan-Elbridge</b>												
Aides/Clerical(SEIU)	3.00	3.00	3.00	3.00	2.50	2.50	2.50					2.79
Bus Drivers	2.00	2.00	2.00									2.00
Cust./Maint (SEIU)	3.00	3.00	3.00	3.00	2.50	2.50	2.50					2.79
Cafeteria (SEIU)	3.00	3.00	3.00	3.00	2.50	2.50	2.50					2.79
Transportation			1.00	1.00	1.00							1.00
<b>Moravia</b>												
Aides/Ass't (CSEA)	4.00	2.00	0.00	2.00	2.00	2.75	2.75	2.75				2.28
CSEA	4.00	2.00	0.00	2.00	2.00	2.75	2.75	2.75				2.28
<b>Port Byron</b>												
Aides (SEIU)	2.00	2.00	2.00	2.00	2.50	2.50	2.50	2.50				2.25
Cust./Maint. (CSEA)	1.60	1.40	2.00	2.00	2.00	2.50	2.50	2.50				2.06
Cafeteria (CSEA)	1.60	1.40	2.00	2.00	2.00	2.50	2.50	2.50				2.06
Nurse (CSEA)	1.60	1.40	2.00	2.00	2.00	2.50	2.50	2.50				2.06
Clerical (SEIU)	2.00	2.00	2.00	2.00	2.50	2.50	2.50	2.50				2.25
<b>Skaneateles</b>												
Aides (CSEA)	1.50	1.50	1.50	2.50	2.60							1.92
Tchr Ass't (CSEA)	1.50	1.50	1.50	2.50	2.60							1.92
Cust./Maint (CSEA)	1.50	1.50	1.50	2.50	2.60							1.92
Nurses (CSEA)	1.50	1.50	1.50	2.50	2.60							1.92
Clerical (CSEA)	1.50	1.50	1.50	2.50	2.60							1.92
<b>So. Cayuga</b>												
Aides (CSEA)	2.00	2.50	2.50	2.50	45¢/hr	45¢/hr	45¢/hr					2.38
Tchr. Ass't (CSEA)	2.00	2.50	2.50	2.50	45¢/hr	45¢/hr	45¢/hr					2.38
Bus Drivers (CSEA)	2.00	2.50	2.50	2.50	45¢/hr	45¢/hr	45¢/hr					2.38
Bus Mech (CSEA)	2.00	2.50	2.50	2.50	45¢/hr	45¢/hr	45¢/hr					2.38
Cust./Maint (CSEA)	2.00	2.50	2.50	2.50	45¢/hr	45¢/hr	45¢/hr					2.38
Cafeteria (CSEA)	2.00	2.50	2.50	2.50	45¢/hr	45¢/hr	45¢/hr					2.38



**RECENT AREA NON-INSTRUCTIONAL CONTRACT SETTLEMENTS**

<b>CAYUGA-ONONDAGA BOCES cont'd</b>												
	2011-2012	2012-2013	2013-2014	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019	2019-2020	2020-2021	2021-2022	Avg.
<b>So. Cayuga cont'd</b>												
Nurses (CSEA)	2.00	2.50	2.50	2.50	45¢/hr	45¢/hr	45¢/hr					2.38
Clerical (CSEA)	2.00	2.50	2.50	2.50	45¢/hr	45¢/hr	45¢/hr					2.38
<b>Union Springs</b>												
Aides (SEIU)	3.00	2.00	2.00	2.50	2.50	2.50	*2.50	*2.50	*2.50	*2.50		2.45
Tchr. Ass'ts (SEIU)	3.00	2.00	2.00	2.50	2.50	2.50	*2.50	*2.50	*2.50	*2.50		2.45
Bus Drivers (CSEA)	2.00	2.00	2.00	2.00	2.50	2.50	2.50	3.00	3.00	3.00		2.45
Bus Mech (CSEA)	2.00	2.00	2.00	2.00	2.50	2.50	2.50	3.00	3.00	3.00		2.45
Cust/Maint. (CSEA)	2.00	2.00	2.00	2.00	2.50	2.50	2.50	3.00	3.00	3.00		2.45
Cafeteria (CSEA)	2.00	2.00	2.00	2.00	2.50	2.50	2.50	3.00	3.00	3.00		2.45
Nurses (SEIU)	3.00	2.00	2.00	2.50	2.50	2.50	*2.50	*2.50	*2.50	*2.50		2.45
Clerical (SEIU)	3.00	2.00	2.00	2.50	2.50	2.50	*2.50	*2.50	*2.50	*2.50		2.45
							* @ % + \$250					
<b>Weedsport</b>												
Aides (CSEA)	4.00	1.95	1.95	1.95	2.50	2.50	2.50	2.75	2.75	2.75		2.56
Bus Drivers (CSEA)	4.00	1.95	1.95	1.95	2.50	*2.50	*2.50	2.75	2.75	2.75		2.56
					*Bus drivers @ % + 30¢							
Bus Mech (CSEA)	4.00	1.95	1.95	1.95	2.50	2.50	2.50	2.75	2.75	2.75		2.56
Cust/Maint. (CSEA)	4.00	1.95	1.95	1.95	2.50	2.50	2.50	2.75	2.75	2.75		2.56
Nurses, Clerical	4.00											4.00
<b>C-O BOCES Avg.</b>	<b>2.55</b>	<b>2.09</b>	<b>1.90</b>	<b>2.27</b>	<b>2.35</b>	<b>2.49</b>	<b>2.55</b>	<b>2.71</b>	<b>2.75</b>	<b>2.75</b>		
<b>BROOME-TIOGA BOCES</b>												
<b>Chenango Valley</b>												
Non-Instruct. (NYSUT)	3.30	3.30	2.25	2.50	2.90	3.00	3.00	3.00	3.00			2.92
<b>Deposit</b>												
CSEA	4.00	2.00	2.00	3.00	3.00	3.00	3.00	3.00				2.88
<b>Maine-Endwell</b>												
Cust./Maint.	2.00	2.00	2.00	50¢/hr	50¢/hr	50¢/hr						2.00
School Lunch	4.60											4.60
Supp Staff	4.50	4.50	2.95	3.00	3.15							3.62
Transp	3.00	3.00	\$600	\$700	\$800							3.00
<b>Owego-Apalachin</b>												
NYSUT	4.00	0.00	1.99	1.99	2.50	2.50	2.50					2.21
<b>Union Endicott</b>												
Cafe. Workers	2.70	2.70	2.70	2.70	2.70	2.70	3.40	*3.00	*3.00	3.00	3.00	2.84
Cent Office	2.70	2.70	2.70	2.70	2.70	2.70	3.40	3.00	3.00	3.00	3.00	2.87
Comp & Tech	2.70	2.70	2.70	2.70	2.70	2.70		3.00	3.00	3.00	3.00	2.87
Dist Office	2.70	2.70	2.70	2.70	2.70	2.70	3.40	3.00	3.00	3.00	3.00	2.87
Maint. Workers	2.70	2.70	2.70	2.70	2.70	2.70	3.40	5.00	3.00	2.00	2.00	2.87
School Aides	2.70	2.70	2.70	2.70	2.70	2.70	3.40	3.00	*3.00	*3.00		2.83
Transp	2.70	2.70	2.70	2.70	2.70	2.70	3.40	3.00	3.00	3.00		2.84
							* @ % + 25¢/hour					

**RECENT AREA NON-INSTRUCTIONAL CONTRACT SETTLEMENTS**

	2011-2012	2012-2013	2013-2014	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019	2019-2020	2020-2021	2021-2022	Avg.
<b>BROOME-TIOGA BOCES cont'd</b>												
<b>Vestal</b>												
Paraprofessional							3.00	3.00	3.00	3.00		3.00
Employees						2.90	2.95	3.00				2.95
<b>Whitney Point</b>												
Aides/Food Serv (NYSUT)	0.00	2.25	2.25	2.50	2.50	2.50						2.20
<b>B-T BOCES Avg</b>	<b>2.95</b>	<b>2.57</b>	<b>2.49</b>	<b>2.66</b>	<b>2.75</b>	<b>2.73</b>	<b>3.17</b>	<b>3.20</b>	<b>3.00</b>	<b>2.83</b>	<b>2.80</b>	
<b>OSWEGO BOCES</b>												
<b>Hannibal</b>												
CSEA	0.00	1.75	1.75	1.95	2.00	2.50	2.75	3.00				1.96
HEA	0.00	1.75	1.75	2.20	2.20	2.20	2.25					1.76
<b>Oswego</b>												
CSEA	1.00	2.00	2.00	2.00	2.00	0.00	3.00	3.00	3.00	3.00		2.10
<b>Osw. BOCES Avg.</b>	<b>0.33</b>	<b>1.83</b>	<b>1.83</b>	<b>2.05</b>	<b>2.07</b>	<b>1.57</b>	<b>2.67</b>	<b>3.00</b>	<b>3.00</b>	<b>3.00</b>		
<b>TOMPKINS-SENECA-TIOGA BOCES</b>												
<b>BOCES</b>												
Local												
<b>Candor</b>												
Local	2.00	2.00										2.00
<b>Dryden</b>												
NYSUT	2.50	2.20	3.00	2.85	2.66	2.90	3.75	3.50	3.50			2.98
<b>Groton</b>												
CSEA	2.85	2.85	2.50	2.75	2.75	2.25	2.25	2.25				2.56
<b>Ithaca</b>												
Supp Prof.				2.00	3.00	2.00	2.00					2.47
<b>Lansing</b>												
NYSUT	3.90		90¢/hr	3.50	60¢/hr	3.00						3.58
<b>Newfield</b>												
CSEA	1.95	2.25	2.50	1.50	2.25	2.25	3.00	3.00	3.00	3.00		2.47
<b>South Seneca</b>												
Local	5.00	1.00	2.00	2.00	2.00	2.60	2.10	2.00				2.34
<b>Trumansburg</b>												
Local	2.00	2.25	2.50	2.50	2.50	50¢/hr	56¢/hr	3.50				2.54
<b>T-S-T Avg.</b>	<b>2.89</b>	<b>2.09</b>	<b>2.50</b>	<b>2.44</b>	<b>2.53</b>	<b>2.50</b>	<b>2.62</b>	<b>2.85</b>	<b>3.25</b>	<b>3.00</b>		

**RECENT AREA NON-INSTRUCTIONAL CONTRACT SETTLEMENTS**

	2011-2012	2012-2013	2013-2014	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019	2019-2020	2020-2021	2021-2022	Avg.
<b>WAYNE-FINGER LAKES BOCES</b>												
<b>BOCES</b>												
NYSUT	3.50	3.75	1.90	2.75	2.45	2.45						2.80
<b>Bloomfield</b>												
NEA/NYSUT	3.40	3.40	1.95	1.85	1.85							2.49
<b>Canandaigua</b>												
Cust./Maint.	3.00	3.00	3.00	3.00	3.00							3.00
Cler./Aides			3.00	2.40	2.40							2.60
Food Service	3.50	4.00	2.25	2.25	3.00	3.00	3.00					3.00
Bus Drivers	3.75	2.25	2.25	2.25								2.63
Monitors	3.50	4.00	2.25	2.00	3.47	2.40	2.35					2.85
<b>Clyde-Savannah</b>												
Supp Pers (CSEA)	4.25	4.00	2.50	2.50	2.50	3.50	3.50	3.50	3.50			3.31
Transp.	4.50	4.00	2.00	2.00	2.00	3.75	3.60	3.50	3.50			3.21
<b>Dundee</b>												
CSEA	3.20	2.00	2.00	2.00	2.00	2.50	2.50	2.50				2.34
<b>Gananda</b>												
CSEA	2.50	1.40	2.80	2.80	2.80							2.46
<b>Geneva</b>												
CSEA	0.00	2.00	2.00	2.00	3.00	3.00	3.00					2.14
<b>Gorham-Middlesex</b>												
Bus Drivers (NYSUT)	3.70	1.90	2.25	2.25	2.70	2.70	2.70					2.60
Cust./F Serv (NYSUT)	3.70	3.75	3.75	2.70	2.70	2.50	50¢/hr	50¢/hr	3.00	3.00		3.14
Teacher Aides (NYSUT)	2.75	2.50	2.25	2.70	2.70	2.50	50¢/hr	50¢/hr	3.00	3.00		2.68
<b>Honeoye</b>												
NYSUT	2.50	2.50	2.50	2.75	2.50	3.00	2.95	2.95				2.71
<b>Lyons</b>												
NYSUT	3.00	3.00	2.50	2.50	2.50	1.80	1.80	1.80				2.36
						+ 54¢/hr	+ 54¢/hr	+ 54¢/hr				
<b>Manchester-S'ville</b>												
CSEA	1.80	1.00	1.90	1.90	2.50	2.50	2.50					2.01
<b>Marion</b>												
CSEA	3.50	1.75	1.75	1.75	1.75							2.10
<b>Naples</b>												
CSEA	3.50	3.50	2.70	2.70	2.70	2.80	2.90	2.90				2.96

**RECENT AREA NON-INSTRUCTIONAL CONTRACT SETTLEMENTS**

<b>WAYNE-FINGER LAKES BOCES cont'd</b>												
	2011-2012	2012-2013	2013-2014	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019	2019-2020	2020-2021	2021-2022	Avg.
<b>Newark</b>							*or starting rate +1.2% if greater					
Custodians (CSEA)	2.50	1.25	2.00	2.00	2.40	2.00	* 50¢/hr	2.90	2.90			2.24
Tchr Aides/Asst (NYSUT)	2.30	1.50	1.50	2.40	2.00	*2.25	*2.25	1.50				1.96
						* 2016-17 & 2017-18 2.25-3.0% based on years						
<b>N Rose-Wolcott</b>												
NYSUT	0.00	1.90	1.90	1.90	1.95							1.53
<b>Palmyra-Macedon</b>												
CSEA	3.90	3.90	2.90	2.90	2.90	2.90	\$2,400/salary	\$2,500/salary	\$2,500/salary	\$2,500/salary		3.23
						or	\$1.15/hr	\$1.20/hr	\$1.20/hr	\$1.20/hr		
<b>Penn Yan</b>												
CSEA	3.90	2.25	2.25	2.25	2.25	2.35	2.35					2.51
<b>Phelps-CI Springs (NYSUT)</b>												
Nurses/Food Serv/ Bus Driv/Maint	4.05	4.05	2.00	2.00	2.00	3.00	3.00	3.00	3.00			2.90
Aides/Clerical	2.89	2.89	2.00	2.00	2.00	3.00	3.00	3.00	3.00			2.64
<b>Red Creek</b>												
CSEA	4.50	2.75	2.00	2.00	* 3.50	2.50	2.50					2.71
					* 2015-16 % based on hire date							
<b>Romulus</b>												
CSEA	4.00	1.50	1.50	3.00	3.00	3.00						2.67
<b>Seneca Falls</b>												
NEA/NYSUT	2.00	2.00	2.00	2.00	3.00	2.75	2.50	2.00				2.28
<b>Sodus</b>												
CSEA	3.00	2.00	2.00	2.00	2.00							2.20
<b>Victor</b>												
CSEA	1.00	1.00	1.50	2.00	2.00	2.00						1.58
<b>Waterloo</b>												
NEA/NYSUT	2.00	2.00	1.50	1.75	1.95	3.00	3.00	3.00	3.00	3.00	3.00	2.42
<b>Wayne</b>												
CSEA		2.50	2.50	2.70	2.90	2.90	2.70	2.90				2.73
<b>Williamson</b>												
CSEA	2.70	2.80	3.00	2.00	1.75	2.00	3.50	3.25	3.00	3.00		2.70
<b>WFL BOCES Avg.</b>	<b>3.13</b>	<b>2.85</b>	<b>2.27</b>	<b>2.28</b>	<b>2.44</b>	<b>2.73</b>	<b>2.83</b>	<b>2.82</b>	<b>3.07</b>	<b>3.00</b>	<b>3.00</b>	

# AREA UNEMPLOYMENT RATES

## New York State Rate

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Ann. Avg.
2018	5.1%	5.1%	4.8%	4.3%	3.7%	4.2%	4.2%	4.1%	3.8%	3.6%			
2017	5.2%	5.3%	4.7%	4.4%	4.4%	4.6%	4.9%	4.9%	4.6%	4.4%	4.4%	4.4%	4.7%

## Syracuse, NY Metropolitan Statistical Area

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Ann. Avg.
2018	6.0%	6.2%	5.6%	4.9%	4.1%	4.4%	4.3%	4.1%	3.7%	3.5%			
2017	5.8%	5.9%	5.2%	4.8%	4.8%	5.0%	5.1%	5.0%	5.0%	4.7%	5.0%	5.2%	5.1%

## Cayuga County Statistical Area

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Ann. Avg.
2018	6.4%	6.5%	6.1%	5.2%	4.3%	4.4%	4.5%	4.3%	3.6%	3.5%			
2017	6.3%	6.4%	5.6%	4.8%	4.5%	4.6%	5.0%	5.0%	4.6%	4.4%	4.9%	5.1%	5.1%

## Broome County Statistical Area

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Ann. Avg.
2018	6.8%	7.0%	6.3%	5.5%	4.5%	5.0%	5.0%	4.7%	4.1%	3.9%			
2017	6.6%	6.5%	5.7%	5.4%	5.2%	5.6%	5.6%	5.4%	5.2%	5.0%	5.4%	5.6%	5.6%

## Ithaca, NY Metropolitan Statistical Area

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Ann. Avg.
2018	4.7%	4.7%	4.2%	3.9%	3.3%	4.2%	4.0%	3.7%	3.3%	3.0%			
2017	4.7%	4.6%	4.0%	3.8%	4.0%	5.0%	5.0%	4.6%	4.5%	4.1%	4.3%	4.0%	4.4%

## Ontario/Seneca/Wayne/Yates Statistical Area

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Ann. Avg.
2018	5.7%	6.0%	5.5%	4.6%	3.7%	3.9%	3.6%	3.5%	3.2%	3.1%			
2017	5.8%	5.8%	5.1%	4.5%	4.3%	4.4%	4.3%	4.3%	4.3%	4.2%	4.5%	4.9%	4.7%

## Rochester, NY Metropolitan Statistical Area

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Ann. Avg.
2018	5.6%	5.9%	5.4%	4.8%	4.0%	4.3%	4.3%	4.2%	3.7%	3.5%			
2017	5.5%	5.6%	5.0%	4.6%	4.7%	4.9%	5.1%	5.0%	4.8%	4.7%	4.9%	5.0%	5.0%

*\* Please note that 2017 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 re-estimating procedure mandated by the U.S. Bureau of Labor Statistics.*

*Source: New York State Department of Labor Statistics*

[www.labor.state.ny.us](http://www.labor.state.ny.us)



# CONSUMER PRICE INDICES

INDEX 1982-84 BASE YEAR=100	% INCREASE FROM PRIOR MONTH	% INCREASE FROM PRIOR YEAR
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## October 2018

### NY-Northeastern New Jersey Area

1. All Urban Consumers	275.101	-0.1	2.0
2. Urban Wage Earners & Clerical Workers	269.879	-0.2	2.0

### U.S. City Average

1. All Urban Consumers	252.885	0.2	2.5
2. Urban Wage Earners & Clerical Workers	247.038	0.2	2.7

## November 2018

### NY-Northeastern New Jersey Area

1. All Urban Consumers	274.478	-0.2	1.9
2. Urban Wage Earners & Clerical Workers	269.154	-0.3	1.9

### U.S. City Average

1. All Urban Consumers	252.038	-0.3	2.2
2. Urban Wage Earners & Clerical Workers	245.933	-0.4	2.2

# COST OF LIVING UPDATE

## ALL CITIES

## NY - NORTHEASTERN NEW JERSEY

Month	Revised Wage Earner Index	%	All Urban Consumers Index	%	Revised Wage Earner Index	%	All Urban Consumers Index	%
Jan-16	231.1	1.2	236.9	1.4	255.0	0.7	260.3	0.8
Feb-16	231.0	0.7	237.1	1.0	255.2	0.5	260.9	0.6
Mar-16	232.2	0.5	238.1	0.9	256.0	0.7	261.5	0.7
Apr-16	233.4	0.8	239.3	1.1	257.3	1.0	262.6	1.0
May-16	234.4	0.7	240.2	1.0	257.7	0.7	263.3	0.9
Jun-16	235.3	0.6	241.0	1.0	258.4	0.8	264.0	1.0
Jul-16	234.8	0.4	240.6	0.8	258.2	0.8	263.9	1.0
Aug-16	234.9	0.7	240.9	1.1	258.4	0.9	264.2	1.1*
Sep-16	235.5	1.2	241.4	1.5	259.1	1.0	264.6	1.0
Oct-16	235.7	1.4	241.7	1.6	259.0	1.2	264.7	1.2
Nov-16	235.2	1.5	241.4	1.7	259.3	1.6	265.2	1.6
Dec-16	235.4	2.0	241.4	2.1	259.8	2.1	265.4	2.1
Jan-17	236.9	2.5	242.8	2.5	261.4	2.5	266.9	2.5
Feb-17	237.5	2.8	243.6	2.7	262.1	2.7	267.7	2.6
Mar-17	237.7	2.3	243.8	2.4	262.2	2.4	267.6	2.3
Apr-17	238.4	2.1	244.5	2.2	262.5	2.0	267.9	2.0
May-17	238.6	1.8	244.7	1.9	262.8	2.0	268.2	1.8
Jun-17	238.8	1.5	244.9	1.6	263.2	1.9	268.7	1.8
Jul-17	238.6	1.6	244.8	1.7	262.6	1.7	268.1	1.6
Aug-17	239.4	1.9	245.5	1.9	263.5	2.0	268.7	1.7
Sep-17	240.9	2.3	246.8	2.2	265.3	2.4	270.1	2.1
Oct-17	240.6	2.1	246.7	2.0	264.6	2.2	269.6	1.8
Nov-17	240.7	2.3	246.7	2.2	264.2	1.9	269.4	1.6
Dec-17	240.5	2.2	246.5	2.1	264.4	1.8	269.6	1.4
Jan-18	241.9	2.1	247.9	2.1	265.7	1.6	270.8	1.4
Feb-18	243.0	2.3	249.0	2.2	267.2	1.9	272.2	1.7
Mar-18	243.5	2.4	249.6	2.4	267.1	1.9	272.2	1.7
Apr-18	244.6	2.6	250.5	2.5	267.9	2.1	273.0	1.9
May-18	245.8	3.0	251.6	2.8	269.0	2.3	274.0	2.2
Jun-18	246.2	3.1	252.0	2.9	269.3	2.3	274.2	2.0
Jul-18	246.2	3.2	252.0	2.9	269.1	2.5	274.1	2.2
Aug-18	246.3	2.9	252.1	2.7	269.3	2.2	274.4	2.2
Sep-18	246.6	2.3	252.4	2.3	270.3	1.9	275.5	2.0
Oct-18	247.0	2.7	252.9	2.5	269.9	2.0	275.1	2.0
Nov-18	245.9	2.2	252.0	2.2	269.2	1.9	274.5	1.9
Dec-18								

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