



THE ADVOCATE

CAYUGA-ONONDAGA BOCES
OFFICE OF PERSONNEL RELATIONS
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*Providing comprehensive
employment and personnel
relations services to local
school districts for over
40 years.*

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SAVE THE DATE! MAY 10, 2013 NEGOTIATIONS WORKSHOP WILL INCLUDE INFORMATION ON THE AFFORDABLE CARE ACT

On Friday, May 10, 2013, the Cayuga-Onondaga BOCES Office of Personnel Relations will conduct a workshop from 8:30 a.m. until 3:00 p.m. on issues relating to negotiations and personnel relations. This program was rescheduled from March 2013 due to bad weather. New information on the Affordable Care Act has been added to the agenda.

To register for the workshop or to receive additional information, contact Linda Brown at lbrown@cayboces.org

It's Time For Letters of Reasonable Assurance



In 1944, the New York State Legislature enacted what is now known as the Unemployment Insurance Law. The statute was designed as an economic insurance buffer for those workers who lost their jobs as a result of a layoff. A laid off employee who lost his or her job through no fault of his or her own would receive an income for a limited period of time to assist in the transitional period between jobs.

Today the law has been liberalized to the extent that employees who are suspended or even discharged for just cause may still be eli-

gible for this insurance benefit. In one school district, for example, a teacher was suspended for a two-year period after being judged incompetent by a tenure hearing panel. The teacher applied for and was ultimately granted unemployment insurance because the suspension for incompetency was not sufficient grounds to preclude the instructor from receiving the unemployment insurance benefit. The decision of the Unemployment Insurance Appeal Board, which reversed the decision of the administrative law judge suggested that had the tenure hearing panel issued a suspension for misconduct, the teacher would not have been eligible for unemployment insurance.

However, there are steps which school districts can take to guard against paying employees during summer vacation. As the end of the academic school year approaches, the Cayuga-Onondaga BOCES Office of Personnel Relations once again reminds Superintendents of the need to notify district employees of an intent to continue their employment for the following school year. Should you not do so, they may be eligible for unemployment insurance during the summer vacation period.

Attached you will find sample letters for a regular classroom teacher, a substitute teacher, and a non-instructional employee which currently meet the requirements of the Unemployment Insurance Appeals Board and recent court decisions. Care should be exercised in the use of these documents, and particular attention should be given about oral statements made by subordinate administrations. Suggestions to an employee that he/she will not be returning next year or that someone should look for alternate work may undo the notices and result in an entitlement to unemployment insurance compensation.

We also recommend that each Superintendent be directed by a resolution of the Board of Education to initiate and forward these letters to each employee.

PLEASE NOTE: Do not send this letter to any employee who will be laid off.

Sample Teacher Letter

Date

Dear Employee:

Please be advised that the (School District) with this letter is providing you with reasonable assurance that you will perform services for the (School District) in the capacity of (blank) for the school year 2013-2014 beginning on July 1, 2013 and ending on June 30, 2014.

This assurance will also continue for periods of employment immediately before and after any vacation and/or holiday term during the school year 2013-2014. Attached please find a copy of the 2013-2014 school calendar.

Please notify this office by June 30, 2013, should you be unable to accept this employment for the 2013-2014 school year.

This reasonable assurance is being transmitted to you for the sole and express purpose of complying with the revisions of the Federal Unemployment Act enacted under Public Law 94-566 and commonly referred to as the Unemployment Insurance Amendments of 1976. These amendments require each state to provide unemployment insurance coverage to local government employees which by companion legislation was enacted in 1977 by New York State. Therefore, and as noted above, you are presumed to have a reasonable assurance that you will perform services with the (School District) and to resume work at the beginning of the ensuing year or term and immediately following vacation periods and/or holiday recesses unless otherwise notified.

Should you have any questions, please feel free to contact the Business Office.

Chief School Officer
School District

I, _____, have read the above and understand its contents and intend, or do not intend (circle one and return to the School District) to return to the (School District) as a regular classroom teacher.

Employee's Signature
Regular Classroom Teacher

Sample Non-Instructional Letter

Date

Dear Employee:

Please be advised that the (School District) with this letter is providing you with reasonable assurance that you will perform services for the (School District) in the capacity of (blank) for the school year 2013-2014 beginning on July 1, 2013 and ending on June 30, 2014.

This assurance will also continue for periods of employment immediately before and after any vacation and/or holiday term during the school year 2013-2014. Attached please find a copy of the 2013-2014 school calendar.

Please notify this office by June 30, 2013 should you be unable to accept this employment for the 2013-2014 school year.

This reasonable assurance is being transmitted to you for the sole and express purpose of complying with the revisions of the Federal Unemployment Act enacted under Public Law 94-566 and commonly referred to as the Unemployment Insurance Amendments of 1976. These amendments require each state to provide unemployment insurance coverage to local government employees which by companion legislation was enacted in 1977 by New York State. Therefore, and as noted above, you are presumed to have a reasonable assurance that you will perform services with the (School District) and to resume work at the beginning of the ensuing year or term and immediately following vacation periods and/or holiday recesses unless otherwise notified.

Should you have any questions, please feel free to contact the Business Office.

Chief School Officer
School District

I, _____, have read the above and understand its contents and intend, or do not intend (circle one and return to the School District) to return to the (School District) as a non-instructional employee.

Employee's Signature
Non-Instructional Employee

Sample Substitute Teacher Letter

Date

Dear Employee:

Please be advised that the (School District) with this letter is providing you with reasonable assurance that you will perform services for the (School District) in the capacity of (blank) for the school year 2013-2014 beginning on July 1, 2013 and ending on June 30, 2014. As long as your availability for assignments remains the same as it was during the last school year, it is expected that you will be receiving substantially the same economic terms and conditions of employment.

This assurance will also continue for periods of employment immediately before and after any vacation and/or holiday term during the school year 2013-2014. Attached please find a copy of the 2013-2014 school calendar.

Please notify this office by June 30, 2013, should you be unable to accept this employment for the 2013-2014 school year.

This reasonable assurance is being transmitted to you for the sole and express purpose of complying with the revisions of the Federal Unemployment Act enacted under Public Law 94-566 and commonly referred to as the Unemployment Insurance Amendments of 1976. These amend-

ments require each state to provide unemployment insurance coverage to local government employees which by companion legislation was enacted in 1977 by New York State. Therefore, and as noted above, you are presumed to have a reasonable assurance that you will perform services with the (School District) and to resume work at the beginning of the ensuing year or term and immediately following vacation periods and/or holiday recesses unless otherwise notified.

Should you have any questions, please feel free to contact the Business Office.

Chief School Officer
School District

I, _____, have read the above and understand its contents and intend, or do not intend (circle one and return to the School District) to return to the (School District) as a regular classroom teacher.

Employee's Signature
Substitute Teacher

A NOTE REGARDING SUBSTITUTE TEACHERS:

Although the last sentence has been added to the first paragraph, please note that a substitute teacher may still ultimately be entitled to unemployment insurance if he/she did not receive at least ninety (90%) percent of the income he/she previously earned. As another alternative, the District could state in the letter of reasonable assurance of continuing employment that the substitute teacher will work a specified number of days in the successor school year equal to the days the substitute worked during the previous school year. Once again, however, the substitute might ultimately be entitled to unemployment insurance if he/she did not receive at least ninety (90%) percent of the income he/she previously earned.

RECENT AREA TEACHER CONTRACT SETTLEMENTS (shaded areas = contract term)

CAYUGA-ONONDAGA BOCES

	Date Settled	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	AVG.
BOCES	6-08	4.50	4.50	open					4.50
Auburn	6-12	3.45	3.00	3.00	0.00	2.25	2.25		2.33
Cato-Meridian	11-12	3.80	3.80	3.80	2.00	2.00	2.00		2.90
Jordan-Elbridge *	1-12	3.85	3.90	0.50	2.01	2.18			2.49
Moravia	2-10	4.00	4.00	2.00	2.00				3.00
Port Byron	12-12	4.25	3.70	2.00	2.00	2.00	2.00		2.66
Skaneateles		3.75	3.75	1.50	1.50	1.50			2.40
So. Cayuga **	4-10	4.00	2.00	2.00					2.67
Union Springs	1-11	4.25	4.25	2.00	2.00				3.13
Weedsport	6-11	4.35	4.50	0.00	2.00				2.71
	Average	4.02	3.74	1.87	1.69	1.99	2.08		

* Jordan-Elbridge figures for 2012-13 and 2013-14 are calculated at step + 55% of average of Feb CPI figures

** So Cayuga 2009-11 contract renegotiated. 2.0% of 2009-10's 4.0% rate was paid in 2011-12

BROOME-TIOGA BOCES

	Date Settled	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	AVG.
Chenango Vall.	4-11	4.10	2.50	2.75	2.75	2.75			2.97
Deposit	1-08	4.25	open						4.25
Maine-Endwell	5-08	4.50	4.50	4.50	4.50				4.50
Owego-Apal.	1-13	4.35	2.95	2.95	2.95	2.00	2.00		2.87
Union-Endicott	11-10	4.00	\$2,253 cash	2.70	2.70	2.70	2.70		2.96
Whitney Point	10-09	3.00	3.30	3.50					3.27
	Average	4.03	3.58	3.28	3.23	2.48	2.35		

GENESEE VALLEY BOCES

	Date Settled	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	AVG.
Geneseo	6-12	4.20	4.20	2.00	2.00	2.00			2.88

GREATER SO. TIER BOCES

	Date Settled	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	AVG.
Hornell	1-12	4.40	4.00	2.20					3.53

OSWEGO BOCES

	Date Settled	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	AVG.
Hannibal	9-09	3.50	3.50	0.00					2.33
Oswego	3-11	4.00	4.00	0.00					2.67
	Average	3.75	3.75	0.00					

TOMPKINS-SENECA-TIOGA BOCES

	Date Settled	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	AVG.
BOCES		4.00	4.00	4.00					4.00
Candor	4-09	3.00	3.00						3.00
Dryden	7-12	4.20	2.60	2.60	3.00	3.00			3.08

RECENT AREA TEACHER CONTRACT SETTLEMENTS (shaded areas = contract term)

TOMPKINS-SENECA-TIOGA BOCES continued

	Date Settled	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	AVG.
George Jr. Rep.	9-08	3.26							3.26
Groton	2-09	7.50	3.00	3.00					4.50
Ithaca	6-11	2.20	2.00	2.00	2.00	2.00	2.00		2.03
Lansing	9-12	3.40	3.50	3.50	2.70	2.70	3.00	3.00	3.11
Newfield	8-12	3.50	2.50	2.00	2.00	3.00			2.60
South Seneca	6-12	4.00	4.00	1.50	1.50				2.75
Trumansburg	1-13	4.00	4.20	2.70	2.70	3.00	3.00		3.27
	Average	3.91	3.20	2.66	2.32	2.74	2.67	3.00	

WAYNE - FINGER LAKES BOCES

	Date Settled	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	AVG.
BOCES **	9-11	3.00	2.50	1.90	1.90				2.33
Bloomfield		3.90	3.85	3.60	3.35				3.68
Canandaigua		4.20	4.10	3.85					4.05
Clyde-Savan.	6-12	5.00	5.00	5.00	2.25	2.25	2.25		3.63
Dundee	1-12	4.00	4.00	2.60	2.50	2.50			3.12
Gananda		4.00	2.75	2.75					3.17
Geneva	6-12	4.58	4.22	4.15	2.00	2.00			3.39
Gorham-M'sex	6-11	3.50	3.50	2.25	2.25	2.50			2.80
Honeoye	2-12	4.00	2.60	2.50	2.50				2.90
Lyons	6-10	4.25	4.66	3.37	3.88				4.04
Man-S'ville	5-11	4.00	4.00	1.80					3.27
Marion		4.50	3.50	2.80	2.00	2.00			2.96
Naples	9-11	4.00	4.00	2.25	2.25	2.25			2.95
Newark	9-11	4.00	2.50	2.50	1.25				2.56
N Rose-Wolcott	4-12	4.32	4.27	1.00	2.47	1.90			2.79
Pal-Mac ***	6-09	3.20	3.90	3.90	2.48	3.90			3.48
Penn Yan	6-11	4.00	4.00	2.29	2.29				3.15
Phelps-CI Spr.	9-10	4.00	2.89	2.89	2.89				3.17
Red Creek	12-10	4.50	4.50	2.75	2.75				3.63
Romulus ****	10-10	3.33	3.33	3.50	3.50				3.42
Seneca Falls	7-10	3.67	3.91	3.50	3.50				3.65
Sodus		4.15	3.80						3.98
Victor		4.30	4.30	4.00					4.20
Waterloo	6-08	4.05	3.89	3.72					3.89
Wayne	11-12	4.25	4.00	3.00	2.00	3.00	2.00		3.04
Williamson	2-10	4.00	3.00	3.00					3.33
	Average	4.03	3.73	2.99	2.53	2.48	2.13		

** BOCES settlement also included a 3.10% for 2008-09

*** Pal-Mac re-opened and settled at 2.48% for 2012-13 and will take original 3.90% in 2013-14 instead

**** Romulus figures for 2009-10 and 2010-11 are approximate

DATA COLLECTED BY THE CAYUGA-ONONDAGA BOCES OFFICE OF PERSONNEL RELATIONS

AREA UNEMPLOYMENT RATES

New York State Rate

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Ann. Avg.
2013	9.3%	8.8%											
2012	9.1%	9.1%	8.7%	8.1%	8.4%	8.7%	8.9%	8.5%	8.1%	8.1%	7.9%	8.2%	8.5%

Syracuse, NY Metropolitan Statistical Area

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Ann. Avg.
2013	9.7%	9.4%											
2012	9.5%	9.5%	9.0%	8.2%	8.5%	8.8%	8.9%	8.3%	8.2%	8.0%	7.8%	8.5%	8.6%

Auburn, NY Micropolitan Statistical Area

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Ann. Avg.
2013	9.8%	9.7%											
2012	9.4%	9.5%	8.8%	7.9%	7.9%	8.1%	8.1%	7.6%	7.3%	7.4%	7.4%	8.3%	8.1%

Cayuga County Statistical Area

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Ann. Avg.
2013	9.8%	9.7%											
2012	9.4%	9.5%	8.8%	7.9%	7.9%	8.1%	8.1%	7.6%	7.3%	7.4%	7.4%	8.3%	8.1%

Broome County Statistical Area

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Ann. Avg.
2013	10.1%	9.5%											
2012	9.8%	9.6%	9.1%	8.3%	8.6%	9.0%	9.3%	8.7%	8.4%	8.3%	8.1%	8.9%	8.8%

Ithaca, NY Metropolitan Statistical Area

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Ann. Avg.
2013	6.7%	5.8%											
2012	6.6%	6.2%	5.7%	5.4%	6.0%	7.0%	6.9%	6.4%	5.6%	5.5%	5.3%	5.5%	6.0%

Ontario/Seneca/Wayne/Yates Statistical Area

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Ann. Avg.
2013	9.6%	9.4%											
2012	9.2%	9.3%	8.9%	7.6%	7.9%	7.9%	7.7%	7.2%	7.0%	7.0%	7.1%	8.0%	7.9%

Rochester, NY Metropolitan Statistical Area

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Ann. Avg.
2013	9.1%	8.7%											
2012	9.5%	9.5%	9.0%	8.2%	8.5%	8.8%	8.9%	8.3%	8.2%	8.0%	7.8%	8.5%	8.6%

*Source: New York State Department of Labor
Labor Statistics
www.labor.state.ny.us*

CONSUMER PRICE INDEX

March 2013

	INDEX 1982-84 BASE YEAR=100	% INCREASE FROM 2012	% INCREASE FROM PRIOR MONTH
NY-Northeastern New Jersey Area			
1. All Urban Consumers	256.589	1.9	0.1
2. Urban Wage Earners & Clerical Workers	252.739	1.8	0.2
U.S. City Average			
1. All Urban Consumers	232.773	1.5	0.3
2. Urban Wage Earners & Clerical Workers	229.323	1.3	0.3

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-11	216.4	1.8	220.2	1.6	238.4	1.8	242.6	1.5
Feb-11	217.5	2.3	221.3	2.1	239.8	2.4	243.8	2.1
Mar-11	220.0	3.0	223.5	2.7	241.7	2.7	245.6	2.3
Apr-11	221.7	3.6	224.9	3.2	242.7	2.9	246.5	2.5
May-11	223.0	4.1	226.0	3.6	244.3	3.5	248.1	2.9
Jun-11	222.5	4.1	225.7	3.6	244.6	3.7	248.5	3.2
Jul-11	222.7	4.1	225.9	3.6	245.3	3.8	249.2	3.3
Aug-11	223.3	4.3	226.5	3.8	246.0	3.9	250.1	3.5
Sep-11	223.7	4.4	226.9	3.9	246.9	4.3	250.6	3.8
Oct-11	223.0	3.9	226.4	3.5	246.3	3.7	250.1	3.3
Nov-11	222.8	3.8	226.2	3.4	245.5	3.3	249.3	3.0
Dec-11	222.2	3.2	225.7	3.0	244.6	3.0	248.3	2.7
Jan-12	223.2	3.1	226.7	2.9	245.5	3.0	249.3	2.8
Feb-12	224.3	3.1	227.7	2.9	246.5	2.8	250.3	2.6
Mar-12	226.3	2.9	229.4	2.7	248.2	2.7	245.1	2.5
Apr-12	227.0	2.4	230.1	2.3	248.7	2.5	245.9	2.3
May-12	226.6	1.6	229.8	1.7	249.0	1.9	252.7	1.8
Jun-12	226.0	1.6	229.5	1.7	248.5	1.6	252.4	1.6
Jul-12	225.6	1.3	229.1	1.4	248.2	1.2	252.0	1.1
Aug-12	227.1	1.7	230.4	1.7	249.7	1.5	253.5	1.4
Sep-12	228.2	2.0	231.4	2.0	251.0	1.7	254.6	1.6
Oct-12	228.0	2.2	231.3	2.2	250.5	1.7	254.3	1.7
Nov-12	226.6	1.7	230.2	1.8	250.6	2.1	254.3	2.0
Dec-12	225.9	1.7	229.6	1.7	249.5	2.0	253.6	2.1
Jan-13	226.5	1.5	230.3	1.6	250.8	2.2	254.8	2.2
Feb-13	228.7	1.9	232.2	2.0	252.3	2.3	256.2	2.4
Mar-13	229.3	1.3	232.8	1.5	252.7	1.8	256.6	1.9
Apr-13								
May-13								
Jun-13								
Jul-13								
Aug-13								
Sep-13								
Oct-13								
Nov-13								
Dec-13								

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