



January 5, 2021

TO THE HONORABLE MEMBERS OF THE SCHOOL COMMITTEE:

Settlement Agreement between the Cambridge Education Association
And the Cambridge School Committee
Regarding Massachusetts Department of Labor Relations, Case Number MUP-20-8236

Recommendation: That the School Committee approve the attached settlement agreement between the Cambridge Education Association and the Cambridge School Committee regarding Massachusetts Department of Relations, Case Number MUP-20-8246.

Description: This agreement resolves a charge of an unfair labor practice that had been filed by the Cambridge Education Association.

Supporting Data: Attached copy of the Settlement Agreement between Cambridge Education Association and the Cambridge School Committee regarding MUP-20-8236

Respectfully submitted,

A handwritten signature in black ink, appearing to be "KS", is written over a faint, illegible stamp.

Kenneth N. Salim, Ed.D.
Superintendent of Schools

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**SETTLEMENT AGREEMENT
BETWEEN THE CAMBRIDGE EDUCATION ASSOCIATION
AND THE CAMBRIDGE SCHOOL COMMITTEE
REGARDING MUP-20-8236**

This settlement agreement is entered into by and between the Cambridge School Committee (“School Committee”) and the Cambridge Education Association (“CEA”) as a resolution of the CEA’s action pending before the Massachusetts Department of Labor Relations entitled Cambridge Education Association v. Cambridge School Committee, MUP-20-8326;

WHEREAS, on October 14, 2020 the CEA filed a charge of a prohibited practice with the Massachusetts Department of Labor Relations on behalf of its members alleging a violation of M.G.L.c. 150E, §§ 6 and 10(a)(5) with respect to an information request that had been made by the CEA on September 1, 2020 (the request was updated on November 3, 2020) in connection with the reopening of schools for the 2020-2021 school year following closure of schools due to the COVID-19 pandemic starting in March 2020;

WHEREAS, the School Committee did not provide an initial response to the September 1, 2020, information request concerning student enrollment data and staff assignment data for the 2020-2021 school year until October 23, 2020;

WHEREAS, on or about October 16, 2020, the School Committee implemented a “hybrid” instruction model that incorporated both in-person instruction and remote instruction;

WHEREAS, the School Committee provided no response to CEA’s September 1, 2020 request prior to October 16, 2020;

WHEREAS, subsequent to October 16, 2020, the School Committee provided information responsive to CEA’s September 1, 2020 request;

NOW THEREFORE, in consideration of the mutual promises and covenants, the receipt and sufficiency of which are hereby acknowledged, the CEA and the School Committee hereby agree to settlement of this matter as follows:

1. The School Committee acknowledges the CEA is legally entitled to access information that is relevant and reasonably necessary to performing its role as collective bargaining representative of teachers, Unit B administrators paraprofessionals, and clerical employees in Cambridge Public Schools, and that timely access to such information is part of a public employer’s obligation to produce under G.L. c. 150E, §§6 and 10(a)(5) to the extent that the public employer has such information in its possession, custody or control and in a manner consistent with Department of Labor Relations precedent concerning union information requests. The School Committee further acknowledges that it has an obligation to engage in a timely dialogue with the CEA regarding any information requests that are received, including whether information requested is available, expected timeframes for the provision of requested information and any issues concerning the scope of a request or burden of production. The

School Committee will diligently observe and perform all of its legal obligations, including but not limited to, providing information to CEA.

2. The CEA acknowledges that it has received reports responsive to its September 1, 2020 and November 3, 2020 information requests from the School Committee starting on October 23, 2020 after in-person learning had already commenced in Cambridge Public Schools. The parties acknowledge and agree that updated reports will continue to be provided to the CEA on a monthly basis through June 30, 2021. The School Committee acknowledges that the information requested in the September 1 letter was not provided in a timely manner.

3. Upon execution of this agreement, the CEA will withdraw the action pending before the Massachusetts Department of Labor Relations, *Cambridge Education Association v. Cambridge School Committee*, MUP-20-8326 in due course.

4. This Agreement may be executed in counterparts, and each counterpart, when executed, shall have the efficacy of a signed original. For the convenience of the Parties, electronic, facsimile and PDF signatures shall be accepted as originals.

WHEREFORE, the School Committee and the CEA have caused this Agreement to be executed by their duly authorized representatives this ___ day of December 2020.

CAMBRIDGE EDUCATION ASSOCIATION

CAMBRIDGE SCHOOL COMMITTEE

Daniel Monahan
President
Cambridge Education Association

Dosha E. Beard
Executive Secretary
Cambridge School Committee

Order Number _____
Date _____

CITY OF CAMBRIDGE

Louis A. DePasquale
City Manager

Approved as to form:

Nancy E. Glowa
City Solicitor