

Neugent, Judy

To: Rotstein, Daniel
Subject: RE: Meeting/Impasse

From: Rotstein, Daniel
Sent: Tuesday, April 01, 2014 5:14 PM
To: Dane ramson (dramson@btuonline.com)
Cc: Rotstein, Daniel
Subject: Meeting/Impasse

Dane,

At yesterday's bargaining session you advised Mr. Cherof that you had filed a declaration of impasse with the Florida Public Employers Relations Commission ("PERC"). When he asked you when that occurred, you told him "several weeks ago". We checked with PERC this morning and were told that BTU did not file for impasse a few weeks ago, but first filed an impasse notice yesterday, March 31, 2014.

It is clear that you did not come prepared to negotiate an agreement yesterday but have shifted your interest to the impasse. You could easily have communicated that to me but chose not to. In fact, your last communication to me only addresses bargaining with no mention of impasse. By doing so you not only wasted our time yesterday (after refusing to meet for during Spring break) but have also compressed the time for concluding the impasse process. The latter puts the State money at risk as the deadline for submission to the State is near.

Your letter to PERC also "requests a waiver of the Special Magistrate process". I know you are aware of that the process for waiving the appointment of a Special Magistrate requires the agreement of both BTU and the City. As I advised you in an earlier correspondence, the statute provides that "...if the parties agree in writing to waive the appointment of a special magistrate, the parties may proceed directly to resolution of the impasse by the legislative body pursuant to paragraph (4)(d)." Since you have never made a written request to the City to waive the appointment of a Magistrate, I am attaching a Joint Waiver of Appointment of Magistrate for submission to PERC. Please sign it and return it to me and I will forward it to the City Manager for signature as I have no authority to sign it.

Please advise if BTU will be ready to participate in an impasse public hearing at the City Commission meeting on April 9, 2014; that is the earliest date the Commission is available assuming the Magistrate waiver process is properly completed.

Daniel

JOINT WAIVER OF APPOINTMENT OF SPECIAL MAGISTRATE

The City of Pembroke Pines and the Broward Teachers Union, pursuant to Florida Statute 447.403 hereby waive the appointment of a Special Magistrate to resolve impasse issues following a March 31, 2014 declaration of impasse by BTU. The parties intend to take their impasse issues directly to the City Commission of the City of Pembroke Pines.

BROWARD TEACHER UNION

BY: _____ DATE: _____

CITY OF PEMBROKE PINES, FLORIDA

BY: _____ DATE _____