

BUFFALO FISCAL STABILITY AUTHORITY

RESOLUTION 08-42

APPROVAL OF COLLECTIVE BARGAINING AGREEMENT

WHEREAS, Chapter 122 of the Laws of 2003, Section 3858(2)(e), requires that during a control period the Buffalo Fiscal Stability Authority (“BFSA”) shall approve or disapprove any collective bargaining agreements binding or purporting to bind the Buffalo Public School District (“District”); and

WHEREAS, the BFSA is required to promptly review a collective bargaining agreement that is submitted to it and shall disapprove any collective bargaining agreement that is not in compliance with the approved financial plan; and

WHEREAS, the District and Buffalo Education Support Team (“BEST”) have fully and completely bargained with respect to the terms and conditions of employment of union members; and

WHEREAS, on August 26, 2008, the members of BEST approved an Agreement Amending the Collective Bargaining Agreement between the District and BEST; and

WHEREAS, the District submitted such agreement with supporting materials to the Buffalo Board of Education and obtained its approval on August 27, 2008, and

WHEREAS, the District submitted such agreement with supporting materials to the BFSA for approval under Section 3858(2)(e) of the Act, and has fully and promptly complied with all information requests of the BFSA; and

WHEREAS, the agreement provides for salary increases that are offset by savings in each year through a transition to the lower cost Blue Cross/Blue Shield health insurance plan, reduces future OPEB costs, increases health insurance contributions in retirement for new and some existing employees; and

WHEREAS, the proposed agreement is in all respects in accordance with the approved financial plan and is in compliance with the draft guidelines established by the BFSA for review and approval of collective bargaining agreements; and

WHEREAS, the agreement provides for the terms and conditions of employment for the period from July 1, 2004 through June 30, 2012 and supersedes any other terms and conditions for that period, including any changes due to contract, Interest Arbitration, judgment or otherwise, now in effect or hereinafter existing; and

WHEREAS, the District will pay for the increased costs of this collective bargaining agreement through the use of preexisting savings in the current budget and four-year financial plan; and

WHEREAS, all BEST litigation against the City and BFSA concerning the steps upon the lifting of the wage freeze will be withdrawn and discontinued; and

NOW, THEREFORE, BE IT RESOLVED, that the BFSA hereby finds that the agreement between the District and BEST provides an acceptable and appropriate contribution towards alleviating the fiscal crisis of the District; and be it further

RESOLVED, the BFSA does hereby approve the aforementioned agreement between the District and BEST, which is to be effective for the period from July 1, 2004 through June 30, 2012 conditioned upon the execution by all parties of a Stipulation of Discontinuance in the form of next year too.

This Resolution shall take effect immediately.

Approved August 19, 2008

/S/ George K. Arthur

George K. Arthur
Secretary