



Malden Public Schools

CONTINUED DISTRICT RESPONSES

**Successor Contract Negotiations with the
Malden Education Association
Units A, B and C**

April 10, 2025

Agenda

School Committee Responses
to MEA Proposals/Responses



Responses to MEA Proposals

Previously Held for Legal Review

- Proposal Group #6
- Proposal Group #15
- Proposal Group #16
- Proposal Group #19
- Proposal Group #26

MEA Proposal Summary

Add a new article titled “Gender Transition Policy for Workers”

Response

Reject Part a of Proposal Group #6

Rationale

Ideas in this section for which we reach tentative agreement can be included within existing articles of the contract.

Part a

Part b

Section i

Section ii

Section iii

Section iv

Part c

Section i

Section ii

Section iii

Section iv

Part d

Part e

Part a

Part b

Section i

Section ii

Section iii

Section iv

Part c

Section i

Section ii

Section iii

Section iv

Part d

Part e

MEA Proposal Summary

Create new policy for transgender workers

Response

Agree in concept, but reject Part b of Proposal Group #6; it is the purview of the Committee to establish district policy

Rationale

Malden School Committee establishes policies through the School Committee’s policy adoption process.

Malden School Committee is committed to providing a safe environment for all educators including transgender educators before, during, and after transition.

Part a

Part b

Section i

Section ii

Section iii

Section iv

Part c

Section i

Section ii

Section iii

Section iv

Part d

Part e

MEA Proposal Summary

Adding health provider certified transition related procedures to approved reason for a leave of absence

Response

Agree in concept, but reject Section i of Part b of Proposal Group #6; all medically necessary leaves are protected under FMLA policy

Rationale

Federal legislation (FMLA) for documented medical leave of absence

- Part a
- Part b
 - Section i
 - Section ii
 - Section iii
 - Section iv
- Part c
 - Section i
 - Section ii
 - Section iii
 - Section iv
- Part d
- Part e

MEA Proposal Summary

Create general transition plan

Response

Agree in concept, but reject Section ii of Part b of Proposal Group #6; it is outside the scope of the collective bargaining agreement to create Human Resource procedures

Rationale

Malden School Committee is committed to working with educators to meet their needs to the greatest extent possible.

Malden Public Schools Department of Human Resources is responsible for creating procedures to meet these needs. HR will welcome Union input in developing these procedures. HR will also consult with other districts on approaches to meeting these needs.

- Part a
- Part b
 - Section i
 - Section ii
 - Section iii
 - Section iv
- Part c
 - Section i
 - Section ii
 - Section iii
 - Section iv
- Part d
- Part e

MEA Proposal Summary

Create health insurance protections for transition-related procedures

Response

Hold Section iii of Part b of Proposal Group #6

Rationale

Malden School Committee is consulting with City of Malden Human Resources and Health Insurance Provider/Consultant

- Part a
- Part b
 - Section i
 - Section ii
 - Section iii
 - Section iv
- Part c
 - Section i
 - Section ii
 - Section iii
 - Section iv
- Part d
- Part e

MEA Proposal Summary

Expand district responsibility for health costs

Response

Reject Section iv of Part b of Proposal Group #6

Rationale

It is not in-line with employment practices to pay for procedures and treatments that are not covered by health insurance.

- Part a
- Part b
 - Section i
 - Section ii
 - Section iii
 - Section iv
- Part c
 - Section i
 - Section ii
 - Section iii
 - Section iv
- Part d
- Part e

MEA Proposal Summary

Change records to reflect name and gender change of transgender employees

Response

Counter Section i of Part c of Proposal Group #6 by adding the following language to existing Articles 10, 7, & 6 for Units A, B, & C respectively: *“Upon request by a worker, the District will update all worker records and directories to reflect the worker’s legal name and gender change and ensure that all workplace and school-related documents are also amended unless the District is prevented from doing so by law.”*

Rationale

Malden School Committee agrees to respect and use an educator’s name and gender change in record keeping to the greatest extent possible.

Part a

Part b

Section i

Section ii

Section iii

Section iv

Part c

Section i

Section ii

Section iii

Section iv

Part d

Part e

MEA Proposal Summary

Provide access to bathrooms for transitioning workers and students

Response

Reject Section ii of Part c of Proposal Group #6; these protections are already afforded under district policy and it is beyond the scope of the contract to establish policies for students

Rationale

- Currently, staff bathrooms in all buildings are gender neutral
 - Malden School Committee will revisit codifying this as a policy and update signage accordingly
- Student Handbook Code of Conduct Policy prevents discrimination on the grounds of genetic information or gender identity (amongst others); this provides Malden students the right to access the bathroom of their lived gender

- Part a
- Part b
 - Section i
 - Section ii
 - Section iii
 - Section iv
- Part c
 - Section i
 - Section ii
 - Section iii
 - Section iv
- Part d
- Part e

MEA Proposal Summary

Use workers’ chosen name and pronouns in the workplace

Response

Counter Section iii of Part c of Proposal Group #6 with the following language to be added to existing Articles 10, 7, & 6 for Units A, B, & C respectively: *“The Committee shall respect a worker’s chosen name and pronouns in all communications and workplace interactions, regardless of their gender identity or expression.”*

Rationale

Malden School Committee agrees to respect and use an educator’s chosen name and pronouns in day-to-day practice.

Part a

Part b

Section i

Section ii

Section iii

Section iv

Part c

Section i

Section ii

Section iii

Section iv

Part d

Part e

MEA Proposal Summary

Use students’ chosen name and pronouns in school

Response

Reject Section iv of Part c of Proposal Group #4; the proposal reflects current practice of using students’ chosen name and pronouns, but it is beyond the scope of the contract to establish policies for students

Rationale

Malden School Committee is committed to following DESE Guidance for Massachusetts Public Schools Creating a Safe and Supportive School Environment: Nondiscrimination on the Basis of Gender Identity

MEA Proposal Summary

Add a new article titled “Fertility Treatment Coverage for All Workers”

Response

Reject Part d of Proposal Group #6

Rationale

Ideas included in this section for which we reach tentative agreement would be placed within existing articles of the contract.

Part a

Part b

Section i

Section ii

Section iii

Section iv

Part c

Section i

Section ii

Section iii

Section iv

Part d

Part e

- Part a
- Part b
 - Section i
 - Section ii
 - Section iii
 - Section iv
- Part c
 - Section i
 - Section ii
 - Section iii
 - Section iv
- Part d
- Part e

MEA Proposal Summary

Create health insurance policy minimum for fertility treatments

Response

Reject Part e of Proposal Group #6; this coverage will be provided through the City of Malden

Rationale

City of Malden has added “Enhanced Fertility to its health insurance plan effective 7/1/25.

Part a

Part b

Section i

MEA Proposal Summary

Extending teacher termination and suspension standards to Unit C members

Response

- Accept Part a of Proposal Group #15
- Counter Part b of Proposal Group #15 with the following language:
"During the first three (3) years of employment with the Malden Public Schools, a worker in this bargaining unit shall be considered a probationary employee...Any bargaining unit worker who is not recognized under M.G.L. c. 71 § 42 shall have the same termination and unpaid suspension standards applied to them."

Rationale

Malden Public Schools will level expectations across all units so Unit C members are given the same considerations and protections as Unit A and B members.

MEA Proposal Summary

Rename article to “Union Rights, Privileges, and Educator Voice”

Response

Accept article name change for units A and B
Clarify article status for Unit C

Rationale

Unit C does not currently have such an article to apply a name change to

Part a

Part b

Section i

Subsection 1

Subpart a

Subpart b

Section ii

Subsection 1

Subpart a

Subsection 2

Part c

Section i

Section ii

Part d

Sections i-xii

Section xiii

Subsection 1

Subsection 2

Part e

Section i

Subsection 1

Section ii

Part f

Section i

Section ii

Part g

Part h

Section i

Section ii

Section iii

Section iv

Section v

Part i

Section i

Section ii

Part j

Part k

Section i

Section ii

Section iii

Section iv

MEA Proposal Summary

Extend Union access to employee orientation

Response

Reject Part b and all of its subsections of Proposal Group #16; these protections are already afforded under state law

Rationale

M.G.L. 150E § 5A: “the right to meet with newly-hired employees, without charge to the pay or leave time of such an employee, for not less than 30 minutes, not later than 10 calendar days after the date of hire during new employee orientation or, if the employer does not conduct new employee orientation, at an individual or group meeting.”

- Part a
- Part b
 - Section i
 - Subsection 1
 - Subpart a
 - Subpart b
 - Section ii
 - Subsection 1
 - Subpart a
 - Subsection 2
- Part c
 - Section i
 - Section ii
- Part d
 - Sections i-xii
 - Section xiii
 - Subsection 1
 - Subsection 2
- Part e
 - Section i
 - Subsection 1
 - Section ii
- Part f
 - Section i
 - Section ii
- Part g
- Part h
 - Section i
 - Section ii
 - Section iii
 - Section iv
 - Section v
- Part i
 - Section i
 - Section ii
- Part j
- Part k
 - Section i
 - Section ii
 - Section iii
 - Section iv

MEA Proposal Summary

Inform Union of records requests

Response

- Counter the proposal language in Part c of Proposal Group #16 with the following language “...*within five (5) business days of receipt...*”
- Counter Section i of Part c of Proposal Group #16 with the following language “*The Committee will wait three (3) business days after informing the Union of a records request before releasing the information to the requester.*”

Rationale

Agree to notify Union of relevant records requests. Malden School Committee only has ten (10) business days to respond to public records requests.

Part a

Part b

Section i

Subsection 1

Subpart a

Subpart b

Section ii

Subsection 1

Subpart a

Subsection 2

Part c

Section i

Section ii

Part d

Sections i-xii

Section xiii

Subsection 1

Subsection 2

Part e

Section i

Subsection 1

Section ii

Part f

Section i

Section ii

Part g

Part h

Section i

Section ii

Section iii

Section iv

Section v

Part i

Section i

Section ii

Part j

Part k

Section i

Section ii

Section iii

Section iv

MEA Proposal Summary

Do not disclose personal information in records request

Response

Reject Section ii of Part c of Proposal Group #16; these protections are already afforded under state law

Rationale

M.G.L. 150E § 5A: Home addresses, home and personal cellular telephone numbers, personal email addresses, dates of birth, bargaining units and groupings of employees and emails or other communications between employee organizations and their members shall not be public records and shall be prohibited from disclosure except as provided in subclauses (o) and (p) of clause Twenty-sixth of section 7 of chapter 4.

- Part a
- Part b
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 - Subpart a
 - Subpart b
 - Section ii
 - Subsection 1
 - Subpart a
 - Subsection 2
- Part c
 - Section i
 - Section ii
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 - Sections i-xii
 - Section xiii
 - Subsection 1
 - Subsection 2
- Part e
 - Section i
 - Subsection 1
 - Section ii
- Part f
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- Part g
- Part h
 - Section i
 - Section ii
 - Section iii
 - Section iv
 - Section v
- Part i
 - Section i
 - Section ii
- Part j
- Part k
 - Section i
 - Section ii
 - Section iii
 - Section iv

MEA Proposal Summary

Provide quarterly employee information data

Response

Counter Part d and all of its subsections by adding the following language *"The Committee shall provide the following information for all employees who are members of MEA Units A, B, & C..."*

Rationale

It is already the District's practice, as governed by law, to share information regarding new hires and retirements within the MEA with said Union.

- Part a
- Part b
 - Section i
 - Subsection 1
 - Subpart a
 - Subpart b
 - Section ii
 - Subsection 1
 - Subpart a
 - Subsection 2
- Part c
 - Section i
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- Part d
 - Sections i-xii
 - Section xiii
 - Subsection 1
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- Part e
 - Section i
 - Subsection 1
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- Part h
 - Section i
 - Section ii
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- Part i
 - Section i
 - Section ii
- Part j
- Part k
 - Section i
 - Section ii
 - Section iii
 - Section iv

MEA Proposal Summary

Use District public-address, mail, and email systems

Response

- Counter Part e of Proposal Group #16 by adding “*before student arrival and after student dismissal*”
- Counter proposed language in Section i of Part e of Proposal Group #16 with “*...use of the Committee’s internal mailing system and email...*”
- Accept Subsection 1 of Section i and Section ii of Part e of Proposal Group #16

Rationale

Agree to the use of District public-address, internal mail, and email systems as long as it doesn’t interfere with the student day. Any documents shared using District systems are public records and are subject to examination under legal processes and public records requests.

Part a

Part b

Section i

Subsection 1

Subpart a

Subpart b

Section ii

Subsection 1

Subpart a

Subsection 2

Part c

Section i

Section ii

Part d

Sections i-xii

Section xiii

Subsection 1

Subsection 2

Part e

Section i

Subsection 1

Section ii

Part f

Section i

Section ii

Part g

Part h

Section i

Section ii

Section iii

Section iv

Section v

Part i

Section i

Section ii

Part j

Part k

Section i

Section ii

Section iii

Section iv

MEA Proposal Summary

Conduct Union business at school

Response

Reject Part f and all of its subsections of Proposal Group #16; these protections are already afforded under state law

Rationale

M.G.L. 150E § 5A: “(i)the right to meet with individual employees on the premises of the public employer during the work day to investigate and discuss grievances, workplace-related complaints and other workplace issues; (ii) the right to conduct worksite meetings during lunch breaks and other non-work breaks and before and after the workday on the employer’s premises to discuss workplace issues, collective bargaining agreements, other matters related to the duties of an exclusive representative and internal union matters involving the governance or business of the employee organization”

M.G.L. 150E § 5A: “The exclusive representative shall have the right to use government buildings and other facilities that are owned or leased by government entities to conduct meetings with unit members regarding bargaining negotiations, the administration of collective bargaining agreements, the investigation of grievances, other workplace-related complaints and issues and internal union matters involving the governance or business of the union; provided, however, that the use does not interfere with governmental operations. Meetings conducted in government buildings pursuant to this section shall not be for a purpose prohibited by sections 13 and 14 of chapter 55. An exclusive representative conducting a meeting in a government building or other government facility pursuant to this section may be charged for maintenance, security and other costs related to the use of the government building or facility that would not otherwise be incurred by the government entity.”

- Part a
- Part b
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 - Subsection 1
 - Subpart a
 - Subpart b
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 - Subsection 1
 - Subpart a
 - Subsection 2
- Part c
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 - Sections i-xii
 - Section xiii
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- Part a
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 - Section iv

MEA Proposal Summary

Move “Dues Deduction” sections to “Union Rights” article

Response

Accept Part g of Proposal Group #16

Rationale

Agree that dues deduction belongs in the Union article of the CBA

MEA Proposal Summary

Revise dues deduction language

Response

- Accept Part h and Sections i, ii, and v of Part h of Proposal Group #16
- Clarify deletion of overlapping sections from previous “Dues Deduction” article

Rationale

These sections do not constitute a significant change in practice

- Part a
- Part b
 - Section i
 - Subsection 1
 - Subpart a
 - Subpart b
 - Section ii
 - Subsection 1
 - Subpart a
 - Subsection 2
- Part c
 - Section i
 - Section ii
- Part d
 - Sections i-xii
 - Section xiii
 - Subsection 1
 - Subsection 2
- Part e
 - Section i
 - Subsection 1
 - Section ii
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 - Section i
 - Section ii
- Part g
- Part h
 - Section i
 - Section ii
 - Section iii
 - Section iv
 - Section v
- Part i
 - Section i
 - Section ii
- Part j
- Part k
 - Section i
 - Section ii
 - Section iii
 - Section iv

MEA Proposal Summary

Only the Union may cease deductions for an employee

Response

Reject Sections iii and iv of Part h of Proposal Group #16

Rationale

Maintain current practice that employees may notify the Committee to cease Union-related deductions from their wages

It is an employee's right to withdraw from Union deductions at any time for any reason. Malden School Committee will continue the current practice of notifying the Union of any changes to members' dues deductions.

- Part a
- Part b
 - Section i
 - Subsection 1
 - Subpart a
 - Subpart b
 - Section ii
 - Subsection 1
 - Subpart a
 - Subsection 2
- Part c
 - Section i
 - Section ii
- Part d
 - Sections i-xii
 - Section xiii
 - Subsection 1
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- Part e
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- Part f
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- Part k
 - Section i
 - Section ii
 - Section iii
 - Section iv

MEA Proposal Summary

School Committee membership for Union President or designee

Response

Reject Part i and its sections of Proposal Group #16

Rationale

Acts (1998) Chapter 434: “The school committee of the city of Malden shall consist of nine members, one of whom shall be the mayor, and one other member to be elected from each ward by and from the registered voters of that ward; but no person shall be eligible for membership on the committee who is not an inhabitant of the city.”

- Part a
- Part b
 - Section i
 - Subsection 1
 - Subpart a
 - Subpart b
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 - Subsection 1
 - Subpart a
 - Subsection 2
- Part c
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 - Section xiii
 - Subsection 1
 - Subsection 2
- Part e
 - Section i
 - Subsection 1
 - Section ii
- Part f
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- Part g
- Part h
 - Section i
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 - Section v
- Part i
 - Section i
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- Part j
- Part k
 - Section i
 - Section ii
 - Section iii
 - Section iv

MEA Proposal Summary

Right to harassment free work environment

Response

Reject Part j of Proposal Group #16; these protections are already afforded under district policy

Rationale

School Committee Policy ACAB: “The City of Malden (the "City") depends upon a work environment of tolerance and respect for the achievement of its goals. The City is committed to providing a work environment which is free from harassment based on an individual's sex, race, color, religion, sexual orientation, national origin, ancestry, disability, or age. Harassment in all of these forms is unlawful and violates both the spirit of equal opportunity and the rights of the individual. It undermines the integrity of the employment relationship and can destroy the morale and commitment of the individuals involved.

- Part a
- Part b
 - Section i
 - Subsection 1
 - Subpart a
 - Subpart b
 - Section ii
 - Subsection 1
 - Subpart a
 - Subsection 2
- Part c
 - Section i
 - Section ii
- Part d
 - Sections i-xii
 - Section xiii
 - Subsection 1
 - Subsection 2
- Part e
 - Section i
 - Subsection 1
 - Section ii
- Part f
 - Section i
 - Section ii
- Part g
- Part h
 - Section i
 - Section ii
 - Section iii
 - Section iv
 - Section v
- Part i
 - Section i
 - Section ii
- Part j
- Part k
 - Section i
 - Section ii
 - Section iii
 - Section iv

MEA Proposal Summary

Contract status in comparison to statutory change

Response

Reject Sections i, ii, and iii of Part k of Proposal Group #16

Accept Section iv of Part k of Proposal Group #16

Rationale

Malden School Committee will uphold federal and/or state law.

- Part a
- Part b
 - Section i
 - Subsection 1
 - Subpart a
 - Subpart b
 - Section ii
 - Subsection 1
 - Subpart a
 - Subsection 2
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 - Section i
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 - Sections i-xii
 - Section xiii
 - Subsection 1
 - Subsection 2
- Part e
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 - Section ii
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 - Section i
 - Section ii
- Part g
- Part h
 - Section i
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 - Section v
- Part i
 - Section i
 - Section ii
- Part j
- Part k
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 - Section ii
 - Section iii
 - Section iv

Part a

Section i

Section ii

Section iii

Section iv

Section v

Section vi

Section vii

Part b

MEA Proposal Summary

Emotional Distress in Classrooms

Response

Hold Proposal Group #19

Rationale

Malden School Committee agrees this is a critical issue and is developing a counter proposal that is compliant with M.G.L. and FERPA.

MEA Proposal Summary

Reporting conduct referrals to the Union

Response

Hold Proposal Group #26

Rationale

Malden School Committee agrees this is a critical issue and is developing a counter proposal that is compliant with M.G.L. and FERPA.

Thank you!

