

**BEFORE THE
INDIANA EDUCATION EMPLOYMENT RELATIONS BOARD**

HAMMOND TEACHERS' FEDERATION,
Petitioner

v.

SCHOOL CITY OF HAMMOND
Respondent

Case Number:

VERIFIED COMPLAINT OF UNFAIR PRACTICE

Petitioner, HAMMOND TEACHERS' FEDERATION, for its claim for unfair practice alleges:

1. Petitioner, HAMMOND TEACHERS' FEDERATION, is a school employee organization.
2. Respondent, SCHOOL CITY OF HAMMOND, is a school employer.
3. HAMMOND TEACHERS' FEDERATION is the exclusive representative at SCHOOL CITY OF HAMMOND.
4. SCHOOL CITY OF HAMMOND is the school employer.
5. This Complaint is based on Indiana Code Section 20-29-7-1. Specifically,
 - a. Refusing to bargain collective with an exclusive representative as required for the following reasons:
 - b. The Parties reached an agreement and ratified it on or about September 30, 2024.
 - c. The Parties agreed to adopt the status quo contract, without a salary increase, plus a \$1000 stipend paid out of remaining federal COVID relief dollars.
 - d. After the parties reached an agreement, the Respondent notified the Union and school employees that it was unilaterally increasing the health insurance premium payment for the Respondent's self-insured plan by 9.4%.
 - e. The Respondent further informed the Union and school employees that the Respondent would not increase its proportional contribution to the premium payments. This meant that the full amount of the increase would fall upon the teachers.
 - f. The Respondent then announced that the employees' premium would increase nearly 50%. For members on the Family Core Plan, this would result in an annual increase of \$3205.

- g. The amount of the increase and the unilateral manner in which it was adopted and imposed constitute significant departures from the parties' past practice wherein premium increases would be shared between the parties and negotiated between the parties.
 - h. The Respondent has refused to bargain over this change.
 - i. On information and belief, Respondent intentionally did not divulge its intention to pass the entire cost of this increase on to the members while the parties were bargaining over the most recent agreement.
 - j. The Respondent bargained in bad faith and/or refused to bargain over mandatory subjects of bargaining with the school employee organization that is the exclusive representative of the Hammond Teachers.
6. Respondent's actions constitute an unfair practice in accordance with Indiana Code Section 20-29-7-1 because Respondent:
- ☐ interfered with, restrained or coerced school employees in the exercise of their rights guaranteed under Indiana Code Section 20-29-4. Ind. Code § 20-29-7-1(a)(1).
 - ☐ dominated, interfered, or assisted in the formation or administration of any school employee organization or contributed financial or other support to a school employee organization. Ind. Code § 20-29-7-1(a)(2).
 - ☐ encouraged or discouraged membership in any school employee organization through discrimination in regard to hiring, tenure of employment, or any term or condition of employment. Ind. Code § 20-29-7-1(a)(3).
 - ☐ Discharged or otherwise discriminated against a school employee because the employee has filed a complaint, affidavit, petition, or any information or testimony under this article. Ind. Code § 20-29-7-1(a)(4).
 - ☒ Refused to bargain collectively with an exclusive representative. Ind. Code § 20-29-7-1(a)(5)(A).
 - ☐ Failed or refused to comply with a provision of Indiana Code Article 20-29. Ind. Code § 20-29-7-1(a)(6).

WHEREFORE, Complainant respectfully requests relief finding that the Respondent engaged in an unfair practice under Indiana Code Section 20-29-7-1 and that Respondent be directed to bargain in good faith .

I affirm under penalty of perjury that the foregoing is true and correct to the best of my knowledge or belief.

/s/ Jeffrey A. Macey

Jeffrey A. Macey, Atty #28378-49
Attorney for the Petitioner

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CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing has been served on November 14, 2024 via electronic mail to the following:

David Dickson, School Employer Attorney, Monica Conrad, School Employer Attorney, Susan Traynor-Chastain, School Employer Attorney

/s/ Jeffrey A. Macey
Jeffrey A. Macey, Atty #28378-49