



TO: Framingham Public Schools School Committee
CC: Dr. Robert Tremblay, Superintendent of Schools; Lincoln Lynch, IV, Executive Director of Finance and Operations
FROM: Inna London, Assistant Superintendent for Human Resources
RE: Morgan Brown & Joy Legal Rates
DATE: Jun 6, 2022

Morgan, Brown & Joy (MBJ) has represented Framingham Public Schools (FPS) since 2011, guiding us as an employer through the evolving employment and labor law landscape. During that time, they have advised us through a myriad of labor and employment issues and represented us in arbitrations, MCAD mediations and investigations, and contract negotiations. Most recently, they have also provided us assistance with the numerous FOIA requests we receive. David Connelly¹, a partner at MBJ, is our primary attorney at the firm.

Periodically, MBJ reviews their client rates. They have never raised their rates with FPS since we began our partnership with them in 2011 despite their significantly increasing costs.

¹ Dave Connelly represents private and public sector employers in labor and employment matters and collective bargaining. His practice focuses on contract negotiation, litigation and proactive counseling for problems employers face in their daily operations. Managers and human resources professionals confidently rely on Dave's leadership and experience to anticipate and prevent problems before they arise, and to implement their goals in a strategic and efficient manner.

Dave assists employers with complex issues related to strikes, management rights, subcontracting, benefits and employee disciplinary matters. He also readily advises clients on matters such as union avoidance, successor employer issues, the Fair Labor Standards Act (FLSA), the Americans with Disabilities Act (ADA), the Family Medical Leave Act (FMLA) and Massachusetts employment statutes. Additionally, Dave is a strong litigator handling matters before labor arbitrators and state and federal labor and non-discrimination boards and commissions. He has successfully negotiated hundreds of collective bargaining and other labor and employment agreements on behalf of his clients.

In addition to advising business clients, Dave has specific experience representing public school districts as well as cities and towns. In particular, he serves as general counsel to Massachusetts school districts under receivership, helping them navigate the complicated path associated with that status. Due to the breadth and depth of his experience in this area, Dave is the Editor and Author of the collective bargaining chapter of Massachusetts Continuing Legal Education (MCLE) School Law publication.

Prior to joining the firm, Dave was a Vice President of Human Resources for HealthBridge Management providing in-house guidance on a full range of labor and employment law issues. Dave also previously served as Director of Labor Relations for the City of Boston. He advised the Mayor of Boston and City department heads on all labor and employment matters. He served as lead negotiator in collective bargaining and successfully defended the City in a multitude of cases before labor arbitrators, administrative agencies and state and federal courts. Prior to his time with the City of Boston, Dave worked in the Fair Labor and Business Practices Division of the Massachusetts Attorney General's Office, representing the Commonwealth in various wage and hour compliance disputes.

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Accordingly, they are requesting approval to increase their rate by \$35 per hour, bringing the blended rate for partners and associates to \$260 per hour. This continues to be significantly less than Attorney Connelly's full rate, which is \$450 per hour. Clearly, even with a rate increase, the District will still pay well below his competitive rate.

In addition, MBJ has begun the practice of automatically increasing billing rates annually, and thus, with our permission, would like to set that up so that the billing rates increase by 3% annually, rounded up to the nearest \$5 increment. MBS proposes starting that on 7/1/23. By doing this, MBS will not need to continually adjust billing rates.