

3/28/19  
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PUSD Proposal #1  
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**PSEA Unit II  
ARTICLE 16**

**PSEA ORGANIZATIONAL RIGHTS**

- 16.1 Subject to compliance with applicable District rules and regulations, PSEA shall be permitted to use school facilities for the purpose of conducting organizational meetings. Such use shall be consistent with the provisions of the Civic Center Act and no cost shall be charged for such use unless additional set up or custodial charges are incurred by the District. In such cases, PSEA shall reimburse the District for such excess costs in accordance with current District practice.
- 16.2 PSEA shall have the right to post and remove PSEA written materials on designated District bulletin boards located at each campus and major work site. Such materials shall be clearly identified by title of the organization.
- 16.3 PSEA shall be permitted to use the District mail services for the purpose of distributing official organizational communication to its membership. Each school or appropriate work area shall designate a location for receipt of organizational materials. It shall be the responsibility of PSEA to distribute its own material to individual employees.
- 16.4 A copy of this Agreement and any written amendments shall be posted on the District web site. Also, each unit member's worksite shall be provided five (5) copies of the Agreement and written amendments which shall be available for review by Unit members.
- 16.5 Labor Relations Committee
- 16.5.1 A Labor Relations Committee shall be established for the purpose of discussing employment related issues of common concern to Unit members represented by PSEA.
- 16.5.2 The committee shall be composed of three (3) representatives from PSEA and three (3) representatives from administration. The Associate Superintendent, Personnel Support Services shall be a permanent member representing administration. Both the administration and PSEA may request the presence of non-employee consultants to attend the committee meetings.
- 16.5.3 Meeting agenda and the time of meeting shall be subject to mutual agreement of the parties.
- 16.6 Release Time

- 16.6.1 Unit members who serve as negotiation team members shall be granted release time based upon a model that recognizes time spent in negotiations on a particular workday. Generally, Unit members will be expected to report to assigned duties during regular daytime hours that do not conflict with negotiations. Reasonable and necessary travel time and up to one hour of preparation/debrief time may be included as release time. Unit members shall be required to spend an amount of time equal to their regular workday on negotiations and/or the Unit member's assigned duties. An effort will be made to schedule negotiations to accommodate workloads and split-shift assignments.
- 16.6.2 Release Time/Grievances: A PSEA steward or representative designated by PSEA shall be given reasonable periods of release time to process grievances and to provide representation to Unit members subject to disciplinary meetings/proceedings and in meetings with District representatives on matters of contract administration. Supervisors shall be given at least one (1) day prior written notice in the event release time is requested unless the parties agree otherwise. The parties shall attempt to schedule grievance/disciplinary proceedings at times which are least disruptive to the normal operational requirements of the District.
- 16.6.3 PSEA shall notify the District in writing of the names of all duly appointed stewards.
- 16.7 Workload Committee: Workload standards and workload equity shall be a standing agenda item in the Labor Relations Committee. A workload committee, consisting of representatives from the District and PSEA will meet throughout the year to address workload under the direction of the Labor Relations Committee. If the District or PSEA receives notice, or is advised of an increase in workload, a workload committee will meet and confer promptly to address workload, investigate any increase in workload and develop a plan to alleviate inequities in workload distribution.
- 16.8 Union Access
- 16.8.1 The Board agrees to grant the PSEA representative and/or PSEA steward access to PSEA members at their work site during lunch hour, break period, or before or after work, as long as the employee's immediate supervisor is previously informed and such contact does not interfere with the employee's assigned work or the orderly operation of the District. If the immediate supervisor is unavailable, notice shall be given to the person to whom the supervisor reports.
- 16.8.2 Concurrent with the above, the PSEA staff representative and/or PSEA steward may be granted access to certain areas of the employer's

premises, following previous notification to the employer or the designated site administrator where employees are employed, when such visits are necessitated by matters concerning processing of grievances.

- 16.8.3 PSEA stewards and chapter officers shall not engage in Union business during working hours except during lunch and break periods. Infrequent, brief, employee initiated contacts with Union stewards and chapter officers shall be permitted. However, it shall be the responsibility of the steward or officer to inform the inquiring employee of the time limitation and to continue the rendering of advice during non-duty hours for both employees.
- 16.8.4 If any Unit member is required to attend a meeting which may give rise to possible discipline, such Unit member, upon request, shall be entitled to have a PSEA representative present at such meeting. The Unit member will be advised by the District of this right prior to the meeting and shall be given an opportunity to obtain such representation. It is understood there is no right to representation where the only purpose of the meeting is simply to deliver written notice of discipline.
- 16.8.5 Affected Unit members shall be notified of the purpose of any meeting wherein a supervisor intends to conduct an investigatory interview which might result in discipline to the Unit member.
- 16.8.6 In the event a supervisor intends to schedule a meeting described in paragraph 16.8.4 hereinabove, which would give rise to a request for PSEA representation, the affected Unit member shall be given advance notice of at least two (2) duty days or four (4) calendar days, whichever is greater. If a PSEA representative is unavailable on the scheduled meeting time and date, the parties shall make a reasonable effort to reschedule the meeting as soon as possible. Under such circumstances, the supervisor and/or employer representative may agree to continue the meeting to a future date.

#### 16.9 Leave for Union Business

- 16.9.1 Ten (10) days total leave shall be granted by the District for employees selected by PSEA to attend PSEA conferences or to participate in other PSEA activities.
- 16.9.2 Leave granted under this Section shall be taken in increments of at least one half (1/2) day and must be preceded by ten (10) days prior written notice, unless there are unusual circumstances.

#### 16.10 Site Communication Committee

The District and PSEA agree to establish a joint committee at each school site or appropriate work location to discuss matters of mutual concern. This committee shall meet at reasonable times upon request of either the principal/immediate supervisor or Unit committee members representing Unit classifications at the work site. Unit members on the committee shall be selected by PSEA.

PSEA shall have the option of combining the Site Communication Committees for Unit I and Unit II at any particular site or keeping them separate.

If at any time PSEA and PFT, in conjunction with the District, agree to a joint committee at any particular site, the aforementioned SCC shall be incorporated into the new entity.

- 16.11 Pursuant to Government Code 3556, PSEA shall continue to be given access to the District's new employee orientations at which classified employees are in attendance. PSEA shall receive no less than 10 days' advance notice of any such orientation, except that a shorter notice may be provided in a specific instance where there is an urgent need critical to the employer's operations that was not reasonably foreseeable.

Within two (2) workdays of each new employee orientation, the District shall provide PSEA an orientation summary for new Unit members. The summary shall include the employee's name, position, primary work location and estimated work start date.

- 16.12 Within five (5) working days of April 1 and October 1 of each year, the District shall provide PSEA with a list of employees requesting unpaid leaves of absence, pursuant to Article 9, made in the preceding biannual period (October-March and April-September, respectively). The list shall include the employee name and classification, the length of leave requested, reason given for the requested leave, whether the leave was granted, and the length of the leave granted. If a leave was denied, the specific reasons for the denial shall be stated.