

TA 12/20/2019
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ARTICLE 16
PSEA ORGANIZATIONAL RIGHTS

PUSD Unit I
Proposal #1
September 26, 2019

12:25 pm

- 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, the association 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 sites. A copy of materials to be posted on the bulletin boards shall be furnished to the principal or other designated supervisor. Such materials shall be clearly identified by title of the organization and the date of preparation.
- 16.3 PSEA shall be permitted to use the District mail services for the purpose of distributing official organizational communications 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 materials to individual employees.
- 16.4 The Board agrees to grant PSEA representative(s) access to Unit members at their work site during the 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.
- 16.5 The District shall provide PSEA with one copy of its Policy and Procedure Manual and revisions thereto.
- 16.6 The District shall provide PSEA with one copy of the preliminary budget, publication budget, and final budget at any time when the District prepares such documents.
- 16.7 The District will provide PSEA with one copy of a seniority listing by hire date and within each class at any time in which the District prepares such a seniority list. A seniority listing shall be provided to PSEA prior to the issuance of written layoff/reduction-in-hours notices to employees.
- 16.8 Following the final preparation of this agreement, the District shall provide a copy of this agreement to every employee in the bargaining Unit. Any employee who becomes a member of the bargaining Unit after the initial preparation of this agreement shall be provided with a copy of this agreement at the time of employment. Also, the District agrees to provide each employee in the

bargaining Unit with a copy of any written amendment agreed to by the parties during the term of the agreement.

16.9 Monthly, the District shall provide PSEA with a listing of all employees in the bargaining Unit. Such listings shall include the employee's ID number, name, work location, position title, home address and telephone number.

16.10 Within five (5) working days of April 1 and October 1 of each year, the District shall provide PSEA with a list of employee requests for unpaid leaves of absence, pursuant to Article 9.6, 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.

16.11 Consultation Committee

16.11.1 An Employer-Employee Relations Consultation Committee shall be established for the purpose of discussing employment related issues of common concern to Unit members represented by PSEA.

16.11.2 The Committee shall be composed of two representatives from PSEA and two representatives from administration. The Associate Superintendent of 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.

16.11.3 Meeting agendas and the time of meeting shall be subject to mutual agreement of the parties.

16.12 Release Time

16.12.1 Release Time/Grievances/Disciplinary Proceedings

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 or proceedings. Supervisors shall be given at least one workday prior written notice in the event release time is requested. The parties shall attempt to schedule grievance/disciplinary proceedings at times which are least disruptive to the normal operational requirements of the District.

16.12.2 PSEA shall notify the District in writing of the names of all duly

appointed stewards.

- 16.12.3 In addition to statutorily-mandated release time, the President of PSEA and/or designee(s) shall be granted a total of up to ninety-six (96) hours of release time to attend meetings, conferences, seminars, training and/or Association-related professional developments or otherwise participate in the Association. Such release time shall be charged in increments of one-half day (4 hours).

16.13 Individual Right to Association Representation

- 16.13.1 If any Unit member is required to attend a meeting wherein the employer intends to "elicit damaging facts" 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.

- 16.13.2 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.

- 16.13.3 In the event a supervisor intends to schedule a meeting described in paragraph 16.12.1 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.

16.14 Site Representation Committee (SRC)

The District and PSEA agree to establish a joint committee at each school site to discuss matters of mutual concern. This committee shall meet at reasonable times upon the request of either the principal or Unit committee members representing various job classifications at the work site. Unit members on the committee shall be selected by PSEA. The principal and not more than two other administrators shall represent the District on the committee.

If at any time PSEA and PFT, in conjunction with the District, agree to a joint committee, i.e., PSU/UBC, the aforementioned SRC shall be incorporated into the new entity.

16.15 The District agrees to provide PSEA with a voice mailbox through the District's telephone system and with an email address through the District's email system.

16.16 Pursuant to Government Code section 3556, PSEA shall continue to be given access to the District's new employee orientations at which classified employees and substitute employees are in attendance. PSEA shall receive no less than 10 days' advance notice of any such orientation.

Within two (2) workdays of each new employee orientation, the District shall provide PSEA an orientation summary for new PSEA employees. The summary shall include the employee's name, position, primary work location, contact information, (home address), and estimated work start date. Also, the summary shall include a listing of employees who are transitioning from substitute or non-represented employee status to PSEA regular employee status.

16.17 The District agrees that if any email messages of an individual PSEA Unit member are going to be accessed by the District, the District will first notify the PSEA Unit member regarding the proposed access unless the access would compromise an investigation. In cases where the District maintains that prior notice of accessing the emails would compromise an investigation, the District shall notify the PSEA Unit member no later than thirty (30) days following the conclusion of the investigation. Email messages that are part of the regular and on-going business practices of the District (such as computer maintenance) are not subject to this provision.

Email that are accessed in response to a California Public Records Act (CPRA) request are not subject to this provision, but such CPRA requests shall instead be subject to the provisions of Section 16.18, below.

16.18 The District shall provide to PSEA a copy of any CPRA request it receives which might reasonably result in disclosure of information relating to PSEA Unit members, no later than ten (10) days of when the District receives such a request.