



# Poway School Employees Association

## Bargaining Update No. 1

### Unit II Negotiations

April 4, 2017

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On March 23, PSEA kicked off negotiations with the District for our first Agreement covering Unit II, the Operations Support Services unit previously represented by SEIU. Since then, we have met with the District for two additional negotiation dates, on March 27 and March 31.

The PSEA Negotiation Team (consisting of PSEA President Lynnette Turner, PSEA Legal Counsel Ricardo Ochoa, Melinda Turnwall and Lonn Paul from Transportation, Rick Gonzalez from Food & Nutrition and George Haughelstine from Maintenance & Operations) expressed to the District our intention to harmonize the expired SEIU Agreement with the language in PSEA's Unit I agreement.

In the first three days of negotiations, PSEA and the District have already reached tentative agreements on five articles, and a conceptual agreement on a sixth article:

- Article 2 (Recognition) – we agreed to a few housekeeping updates;
- Article 4 (Payroll Deductions) – we agreed on a mechanism for employees to donate to the PSEA RESPECT Fund, a political action committee set up to support local elections (such as school board members), and made other housekeeping changes;
- Article 6 (Holidays) – we added language guaranteeing that Unit II members will get paid for non-student days for which teachers are paid, and made other housekeeping changes;
- Article 17 (Nondiscrimination) – we updated the language of this Article to reflect changes in anti-discrimination laws;
- Article 18 (Conditions of Agreement) – we added a severability clause to the Agreement, deleted some outdated language and made various housekeeping changes; and
- Article 1 (Definitions) – we reached a conceptual agreement on housekeeping updates which we expect to formalize into a signed tentative agreement once we finalize Article 5 (Hours of Employment).

In addition to those articles, the parties have also exchanged proposals on five more articles: Article 3 (District Rights); Article 10 (Transfers); Article 12 (Grievance Procedures); Article 13 (Safety Conditions of Employment); and Article 15 (Layoffs). The status of those proposals is as follows:

- Article 3 (District Rights) – PSEA proposed the same language which the District has agreed to for Unit I and indicated we don't see the need to agree to broader language for Unit II;
- Article 10 (Transfers) – PSEA proposed that Unit II employees be given the same advance notice of involuntary transfers as Unit I employees receive. The District has given no compelling reason why Unit II employees should have fewer rights than Unit I;
- Article 12 (Grievance Procedures) – PSEA has proposed that disputes over the interpretation of this Agreement be submitted to a neutral third party to decide by means of binding arbitration, in the same manner as Unit I and PFT. We are confident the District will agree to this proposal;
- Article 13 (Safety Conditions of Employment) – PSEA and the District have updated the language of this Article, and we anticipate reaching a tentative agreement at our next negotiation session; and

- Article 15 (Layoffs) – the District has proposed a layoff article which mirrors the one for Unit I.

At the end of the negotiation session on March 31, PSEA also made a proposal on Article 16 (PSEA Organizational Rights) which updates these provisions with language from PSEA's Unit I agreement. The District indicated it would review our proposal and give us a response at an upcoming session.

So far, the mood at the table has been amiable and cooperative. We are encouraged that the District seems to realize there is a reason Unit II employees voted for PSEA representation. However, we have yet to discuss many of the more contentious issues. We are scheduled to meet again for negotiations on April 5, April 24, and April 27.

Meanwhile, the District welcomed a new Superintendent, Dr. Marian Kim-Phelps, this past Monday. We are heartened by the fact that, when the School Board approved her contract in early March, Dr. Kim-Phelps went out of her way during her prepared remarks to acknowledge the importance of classified staff. And we are pleased that Dr. Kim-Phelps has accepted our invitation to attend the next PSEA Board of Directors meeting, on April 17, to address the PSEA leadership and membership. We are cautiously optimistic that new leadership at the District will translate into substantive changes in our relationship with the District.

As always, our ability to win improvements for classified employees depends on having an active and engaged membership. If you have not yet signed a PSEA membership card, be sure to contact your PSEA Site Representative, or call the PSEA office at (858) 842-4980.

To accommodate the anticipated membership interest in Dr. Kim-Phelps' attendance at the April 17<sup>th</sup> PSEA Board of Directors meeting, we have moved the location to the Community Room at the District office, and have moved up the start time to 4:30 p.m.