

TO: BOARD OF EDUCATION

MEETING DATE: February 10, 2022

FROM: James Jimenez

AGENDA ITEM: 6.3

Staff Support:

SUBJECT: INITIAL PROPOSAL FOR CONTRACT NEGOTIATIONS FROM THE BOARD OF EDUCATION TO THE POWAY SCHOOL EMPLOYEES ASSOCIATION (PSEA) UNIT I - 2022-2023 - FIRST READING

- Action
- Consent Calendar
- First Reading
- Information
- Presentation
- Public Hearing
- Roll Call Vote Required

RECOMMENDATION:

First Reading.

DISCUSSION/PROGRAM:

Under California Government Code Section 3547, the presentation and adoption of the District’s initial proposal for contract negotiations with PSEA Unit I is a two-step process. First, the initial proposal must be presented at a meeting of the Board of Education and then after a reasonable time allow the public to become informed. At a second meeting of the Board, there will be a public hearing on the District’s initial proposal and the Board would adopt its initial proposal. Tonight, the Board will make its initial proposal to PSEA Unit I.

The initial proposal is attached.

LEGAL REFERENCE: California Government Code 3547

FISCAL IMPACT: TBD through Collective Bargaining Process

MOVED BY: _____ **SECONDED BY:** _____

VOTE: COUVRETTE ___ **O’CONNOR-RATCLIFF** ___ **PATEL** ___ **SYTSMA** ___ **ZANE** ___ **STUDENT PREFERENTIAL VOTE: XU** ___

**INITIAL PROPOSALS FROM THE POWAY UNIFIED SCHOOL DISTRICT
BOARD OF EDUCATION
TO
POWAY SCHOOL EMPLOYEES ASSOCIATION UNIT I**

February 10, 2022

This initial proposal is submitted by the Poway Unified School District Board of Education for a successor agreement with Poway School Employees Association Unit I to replace the current agreement, which will expire on June 30, 2022. The Poway Unified School District proposes the following.

Article 1 – Definition of Terms

- Revise language to align the definition of probationary period for “probationary employee” with the Personnel Commission Rules and Regulations.

Article 5 – Work Year - Workweek - Workday

- Review and clarify language regarding the regular and alternate workweeks for full-time employees and for part-time employees.

Article 6 – Holidays

- Review and clarify language regarding employees’ eligibility for holidays, including but not limited to, those holidays that occur during recess periods or during non-scheduled workdays.
- Review and update holidays pursuant to any new legal requirements.

Article 7 – Vacation

- Consider revisions to language pertaining to provisions within this Article.

Article 9 – Leaves

- Consider revisions to language pertaining to provisions within this Article to reflect current practices and/or prevailing law.

Article 10 – Transfer Procedures

- Consider revisions to improve transfer and reassignment processes for stakeholders, and to further the educational best interests of students and the District’s operational efficiency.

Article 11 – Evaluation Procedures

- Revise language to align the probationary period with the Personnel Commission Rules and Regulations.
- Consider revisions to language pertaining to evaluation procedures to reflect current practices and/or prevailing law.

Article 14 – Wages

- Review and revise language regarding employees on the EPMC Salary Schedule to reflect prevailing law, and update salary schedules accordingly.
- Review and clarify language regarding payroll and/or salary errors to reflect current practices and/or prevailing law.
- Consider revisions to language regarding the Professional Learning Program Budget.
- Review and revise language pertaining to working out of classification salary.

Article 15 – Layoff, Reemployment, and Contracting Out

- Revise various provisions of this Article related to recent legislation regarding classified employee layoffs.

Article 22 – Term of Agreement

- A three-year agreement commencing July 1, 2022, through June 30, 2025, with re-openers as negotiated by the parties.

Miscellaneous

The District also has an interest in reviewing contract language to correct any typographical errors, deleting obsolete language or provisions, reviewing language regarding committees for the purpose of efficiency and need, and reviewing, incorporating, updating and/or omitting current and/or expiring TA's, MOUs and side letters. The District also has an interest with aligning contract language for both units where applicable and possibly consolidating both units into one contract.

PUSD reserves the right to add, modify, delete, or otherwise change proposals during the course of negotiations.

TO: BOARD OF EDUCATION

MEETING DATE: February 10, 2022

FROM: James Jimenez

AGENDA ITEM: 6.4

Staff Support:

SUBJECT: INITIAL PROPOSAL FOR CONTRACT NEGOTIATIONS FROM THE BOARD OF EDUCATION TO THE POWAY SCHOOL EMPLOYEES ASSOCIATION (PSEA) UNIT II - 2022-2023 - FIRST READING

- Action
- Consent Calendar
- First Reading
- Information
- Presentation
- Public Hearing
- Roll Call Vote Required

RECOMMENDATION:

First Reading.

DISCUSSION/PROGRAM:

Under California Government Code Section 3547, the presentation and adoption of the District’s initial proposal for contract negotiations with PSEA Unit II is a two-step process. First, the initial proposal must be presented at a meeting of the Board of Education and then after a reasonable time allow the public to become informed. At a second meeting of the Board, there will be a public hearing on the District’s initial proposal and the Board would adopt its initial proposal. Tonight, the Board will make its initial proposal to PSEA Unit II.

The initial proposal is attached.

LEGAL REFERENCE: California Government Code 3547

FISCAL IMPACT: TBD through Collective Bargaining Process

MOVED BY: _____ **SECONDED BY:** _____

VOTE: COUVRETTE ___ O’CONNOR-RATCLIFF ___ PATEL ___ SYTSMA ___ ZANE ___ **STUDENT PREFERENTIAL VOTE:** XU ___

**INITIAL PROPOSALS FROM THE POWAY UNIFIED SCHOOL DISTRICT
BOARD OF EDUCATION
TO
POWAY SCHOOL EMPLOYEES ASSOCIATION UNIT II**

February 10, 2022

This initial proposal is submitted by the Poway Unified School District Board of Education for a successor agreement with Poway School Employees Association Unit II to replace the current agreement, which will expire on June 30, 2022. The Poway Unified School District proposes the following.

Article 1 – Definition of Terms

- Revise language to align the definition of probationary period for “probationary employee” with the Personnel Commission Rules and Regulations.

Article 5 – Hours of Employment

- Review and revise language pertaining to working out of classification salary.

Article 6 – Holidays

- Review and clarify language regarding employees’ eligibility for holidays, including but not limited to, those holidays that occur during recess periods or during non-scheduled workdays.
- Review and update holidays pursuant to any new legal requirements.

Article 7 – Vacation

- Consider revisions to language pertaining to provisions within this Article.

Article 9 – Leaves

- Consider revisions to language pertaining to provisions within this Article to reflect current practices and/or prevailing law.

Article 10 – Transfer Policy

- Consider revisions to improve transfer and reassignment processes for stakeholders, and to further the educational best interests of students and the District’s operational efficiency.

Article 11 – Evaluation Procedures

- Revise language to align the probationary period with the Personnel Commission Rules and Regulations.
- Consider revisions to language pertaining to evaluation procedures to reflect current practices and/or prevailing law.

Article 14 – Wages

- Consider revisions to language regarding the Professional Learning Program Budget.

Article 15 – Layoff, Reemployment, and Contracting Out

- Revise various provisions of this Article related to recent legislation regarding classified employee layoffs.

Article 20 – Term of Agreement

- A three-year agreement commencing July 1, 2022, through June 30, 2025, with re-openers as negotiated by the parties.

Miscellaneous

The District also has an interest in reviewing contract language to correct any typographical errors, deleting obsolete language or provisions, reviewing language regarding committees for the purpose of efficiency and need, and reviewing, incorporating, updating and/or omitting current and/or expiring TA's, MOUs and side letters. The District also has an interest with aligning contract language for both units where applicable and possibly consolidating both units into one contract.

PUSD reserves the right to add, modify, delete or otherwise change proposals during the course of negotiations.

TO: BOARD OF EDUCATION

MEETING DATE: February 10, 2022

FROM: James Jimenez

AGENDA ITEM: 6.5

Staff Support:

**SUBJECT: INITIAL PROPOSAL FOR CONTRACT NEGOTIATIONS
FROM POWAY SCHOOL EMPLOYEES ASSOCIATION
(PSEA) UNIT I TO THE BOARD OF EDUCATION-2022-2023**

- Action
- Consent Calendar
- First Reading
- Information
- Presentation
- Public Hearing
- Roll Call Vote
Required

RECOMMENDATION:

Approve to receive the initial proposal for contract negotiations from Poway School Employees Association (PSEA) Unit I to the Board of Education.

DISCUSSION/PROGRAM:

California Government Code 3547 states in relevant part, “All initial proposals of exclusive representatives and of public school employers, which relate to matters within the scope of representation, shall be presented at the public meeting of the public school employer and thereafter shall be public records.”

Poway Unified School District and Poway School Employees Association are in the final year of the Collective Bargaining Agreement. One of the provisions of this agreement (Article 2.2 - Negotiations Procedures) requires that PSEA present its initial proposal for a successor agreement to the Board of Education. As this is the Exclusive Representative’s initial proposal, the Board need only vote to receive it tonight, and there is no need for further presentation at a subsequent meeting.

The initial proposal is attached.

LEGAL REFERENCE: California Government Code Section 3547

FISCAL IMPACT: TBD through Collective Bargaining Process

MOVED BY: _____ **SECONDED BY:** _____

VOTE: COUVRETTE ___ **O’CONNOR-RATCLIFF** ___ **PATEL** ___ **SYTSM** ___ **ZANE** ___ **STUDENT PREFERENTIAL VOTE: Xu** ___

Sunshine Proposal
Poway School Employees Association
Office, Technical, Business and Paraprofessional Unit I

This initial proposal is submitted by the Poway School Employees Association to the Poway Unified School District for 2022 successor negotiations. PSEA will propose:

Article 5 – Work Year – Workweek – Workday – Workload

- Update workdays for 12-month employees.
- Codify and review existing staffing ratios for paraprofessionals.

Article 7 – Vacation

- Review and improve upon vacation leaves.

Article 6 – Holidays

- Clarify that Juneteenth is a recognized paid holiday.

Article 8 – Health and Welfare Benefits

- Review the structure of the existing post-retirement health and welfare benefit and the status of the irrevocable trust and, if appropriate, make corresponding proposals to improve these benefits.
- Review Health and Welfare Benefits and offerings for all classified employees.

Article 9 – Leaves

- Update various provisions in this article to provide for equitable leave provisions for classified employees.

Article 10 – Transfer Procedures

- Review and improve upon transfer procedures with emphasis on retention and operational efficiency.

Article 14 – Wages

- Revise article to recognize the sacrifices recently made by classified employees and their contribution to the educational mission of the District.

Article 15 – Layoff, Reemployment and Contracting Out

- Review language in light of recent statutory changes.
- Review and amend language regarding subcontracting and contracting out of work.

Article 21 – Substitutes

- Review article to explore mechanisms to improve the quality and retention of available substitutes.

Article 22 – Term of Agreement

- A multi-year agreement.

Throughout The Agreement

- Align the structure and the language of the Agreement with Unit II while ensuring no reductions in rights or benefits for Unit I employees.
- Ensure use of gender-neutral language.

PSEA reserves the right to add, modify, delete, or otherwise change proposals during the course of negotiations.

TO: BOARD OF EDUCATION

MEETING DATE: February 10, 2022

FROM: James Jimenez

AGENDA ITEM: 6.6

Staff Support:

SUBJECT: INITIAL PROPOSAL FOR CONTRACT NEGOTIATIONS FROM POWAY SCHOOL EMPLOYEES ASSOCIATION (PSEA) UNIT II TO THE BOARD OF EDUCATION-2022-2023

- Action
- Consent Calendar
- First Reading
- Information
- Presentation
- Public Hearing
- Roll Call Vote Required

RECOMMENDATION:

Approve to receive the initial proposal for contract negotiations from Poway School Employees Association (PSEA) Unit II to the Board of Education.

DISCUSSION/PROGRAM:

California Government Code 3547 states in relevant part, “All initial proposals of exclusive representatives and of public school employers, which relate to matters within the scope of representation, shall be presented at the public meeting of the public school employer and thereafter shall be public records.”

Poway Unified School District and Poway School Employees Association are in the final year of the Collective Bargaining Agreement. One of the provisions of this agreement (Article 2.2 - Negotiations Procedures) requires that PSEA present its initial proposal for a successor agreement to the Board of Education. As this is the Exclusive Representative’s initial proposal, the Board need only vote to receive it tonight, and there is no need for further presentation at a subsequent meeting.

The initial proposal is attached.

LEGAL REFERENCE: California Government Code Section 3547

FISCAL IMPACT: TBD through Collective Bargaining Process

MOVED BY: _____ **SECONDED BY:** _____

VOTE: COUVRETTE ___ O’CONNOR-RATCLIFF ___ PATEL ___ SYTSMA ___ ZANE ___ **STUDENT PREFERENTIAL VOTE:** Xu ___

Sunshine Proposal
Poway School Employees Association
Operations Support Services Unit II

This initial proposal is submitted by the Poway School Employees Association to the Poway Unified School District for 2022 successor negotiations. PSEA will propose:

Article 5 – Hours of Employment

- Update workdays for 12-month employees.

Article 6 – Holidays

- Clarify that Juneteenth is a recognized paid holiday.

Article 7 – Vacation

- Review and improve upon vacation leaves.

Article 8 – Health and Welfare Benefits

- Review the structure of the existing post-retirement health and welfare benefit and the status of the irrevocable trust and, if appropriate, make corresponding proposals to improve these benefits.
- Review Health and Welfare Benefits and offerings for all classified employees.

Article 9 – Leaves

- Update various provisions in this article to provide for equitable leave provisions for classified employees.

Article 10 – Transfer Procedures

- Review and improve upon transfer procedures with emphasis on retention and operational efficiency.

Article 14 – Wages

- Revise article to recognize the sacrifices recently made by classified employees and their contribution to the educational mission of the District.

Article 15 – Layoff, Reemployment and Contracting Out

- Review language in light of recent statutory changes.
- Review and amend language regarding subcontracting and contracting out of work.

Article 20 – Term of Agreement

- A multi-year agreement.

Throughout The Agreement

- Align the structure and the language of the Agreement with Unit I while ensuring no reductions in rights or benefits for Unit II employees.
- Ensure use of gender-neutral language.

PSEA reserves the right to add, modify, delete, or otherwise change proposals during the course of negotiations.

TO: BOARD OF EDUCATION

MEETING DATE: February 10, 2022

FROM: James Jimenez

AGENDA ITEM: 6.7

Staff Support:

SUBJECT: INITIAL PROPOSAL FOR CONTRACT NEGOTIATIONS FROM THE BOARD OF EDUCATION TO THE POWAY FEDERATION OF TEACHERS (PFT) 2022-2023 - FIRST READING

- Action
- Consent Calendar
- First Reading
- Information
- Presentation
- Public Hearing
- Roll Call Vote Required

RECOMMENDATION:

First Reading.

DISCUSSION/PROGRAM:

Under California Government Code Section 3547, the presentation and adoption of the District’s initial proposal for contract negotiations with PFT is a two-step process. First, it must be presented at a meeting of the Board of Education. Second, at a separate meeting of the Board of Education, after a reasonable time to allow the public to become informed, there will be a public hearing on the District’s initial proposal and the Board would adopt its initial proposal. Tonight, the Board will make public its initial proposal to PFT.

The initial proposal is attached.

LEGAL REFERENCE: California Government Code Section 3547

FISCAL IMPACT: TBD through Collective Bargaining Process

MOVED BY: _____ **SECONDED BY:** _____

VOTE: COUVRETTE ___ O’CONNOR-RATCLIFF ___ PATEL ___ SYTSMA ___ ZANE ___ **STUDENT PREFERENTIAL VOTE:** Xu ___

Initial Proposal for Contract Negotiations
From Poway Unified School District
To
Poway Federation of Teachers
2022-2023

The District submits this Initial Proposal per the terms of the current Collective Bargaining Agreement with the Poway Federation of Teachers for reopener negotiations to the current Collective Bargaining Agreement, which expires on June 30, 2023. The District and the Federation continue to utilize a negotiations model based on the principles and best practices of Interest Based Problem Solving (IBPS).

Section II – Duration of Agreement

Clarify language pertaining additional sections that may be reopened during the duration of an agreement.

Section III – Health and Welfare Benefits

Explore different health and welfare models including the District’s contribution model for Health & Welfare Benefits and consider possible improvements or modifications.

Section V – Transfer

In collaboration with the Labor Relations team, update the transfer process to provide transfer opportunities and associated general guidelines to meet the needs of teachers and the District instructional program.

Section VII – Class Size and Staffing

Review class size and staffing ratios in the 2021-2022 school year and determine any modifications for 2022-2023.

Section X - Evaluation

In collaboration with the Labor Relations team, update and modify the evaluation process to align with the current Teacher Professional Learning and Effectiveness System (TPLES) evaluation and professional growth program.

Section XI – Wages

Use Interest Based Problem Solving (IBPS) to analyze compensation and update language within the section.

TO: BOARD OF EDUCATION

MEETING DATE: February 10, 2022

FROM: James Jimenez

AGENDA ITEM: 6.8

Staff Support:

**SUBJECT: INITIAL PROPOSAL FOR CONTRACT NEGOTIATIONS
FROM THE POWAY FEDERATION OF TEACHERS (PFT)
TO THE BOARD OF EDUCATION 2022-2023**

- Action
- Consent Calendar
- First Reading
- Information
- Presentation
- Public Hearing
- Roll Call Vote
Required

RECOMMENDATION:

Approve to receive the initial proposal for contract negotiations from the Poway Federation of Teachers to the Board of Education.

DISCUSSION/PROGRAM:

California Government Code 3547 states in relevant part, "All initial proposals of exclusive representatives and of public school employers, which relate to matters within the scope of representation, shall be presented at the public meeting of the public school employer and thereafter shall be public records."

As this is the Exclusive Representative's initial proposal for negotiations, the Board need to only vote to receive it tonight, and there is no need for further presentation at a subsequent meeting.

The initial proposal is attached.

LEGAL REFERENCE: California Government Code Section 3547

FISCAL IMPACT: TBD through Collective Bargaining Process

MOVED BY: _____ **SECONDED BY:** _____

VOTE: COUVRETTE ___ O'CONNOR-RATCLIFF ___ PATEL ___ SYTSMA ___ ZANE ___ **STUDENT PREFERENTIAL VOTE:** XU ___

**Initial Proposal for Negotiations
From Poway Federation of Teachers
To
Poway Unified School District
2022-23**

February 10, 2022

TO: Board of Education
FROM: Poway Federation of Teachers
SUBJECT: Proposal for Contract Negotiations 2022-2023

Please consider this proposal the Federation's notice to the PUSD Board of Education for 2022-2023 contract negotiations. This proposal includes 2022-2023 Reopeners to the current three-year bargaining agreement, which expires June 30, 2023.

Section III – Health and Welfare Benefits

Continue the District's contribution per employee, using the provisions as outlined in Section III – Health and Welfare Benefits.

Section IV – Leave of Absence Policy

Continue the work of the PUSD/PFT Labor Relations Team to clarify parameters for General Leave and to include a one-time opportunity to access this leave for personal reasons.

Allow access to a portion of Personal Necessity Leave for discretionary use.

Section V – Transfer Policy

Continue the work of the PUSD/PFT Labor Relations Team to refine the current transfer process to allow for transfer opportunities, ensure retention of the most highly qualified temporary contracted teachers, and staff known positions with qualified candidates (internal/external).

Section VII – Class Size and Staffing

Continue the work of the PFT/PUSD Staffing Sub-committee to strategically reduce district-wide class sizes to benefit student learning.

Ensure sites implementing Specialized Academic Instruction (SAI) models have appropriate staffing levels, class sizes, and supports.

Section VIII – Hours of Employment

Continue the work of the joint Special Education Labor Relations Team to explore ways to address the teacher shortage, including, but not limited to teachers with specialized credentials.

Ensure the roles and responsibilities of both special and general educators can be reasonably achieved during the professional workday in an inclusive practices model.

Section IX – Safety Conditions of Employment

Continue the work of the PUSD/PFT Labor Relations Team to ensure safe working conditions for educators.

Section X – Evaluation

Continue the work of the Teacher Professional Learning and Effectiveness System (TPLES) Advisory Board, as they implement, monitor, and potentially modify this professional growth-oriented evaluation system.

Section XI – Wages

Continue with both parties meeting regularly throughout the year, using Interest Based Problem Solving (IBPS), to discuss the budget, the Governor's proposals on the budget, and the May Revision to reach joint understanding of how the state budget will translate into resources in PUSD. The Federation wishes to work with our District to identify and make recommendations to the Board of Education around total compensation for our members.

Establish criteria to use to review stipends for extra assignments and make modifications as needed.