

Poway School Employees Association
Board of Directors Meeting
12245 World Trade Drive, Suite H
San Diego, CA 92128
WEBINAR / IN-PERSON

MINUTES for March 8, 2022

BOARD OF DIRECTORS	
PRESENT	ABSENT
Courtney Martin, President Nancy Brundrett, Vice President Davin Erickson, Secretary Nancy Hall, Parliamentarian Diane Zimmermann, Member At Large	Christine Robinson, Member At Large
OTHERS PRESENT	
Pamela Contreras, Director of Employee Relations Ricardo Ochoa, General Counsel List of other attendees on file in the PSEA office	

BOARD MEETING

QUORUM/CALL TO ORDER 4:47 p.m. A quorum was established.

CLOSED SESSION

Nothing to report.

REVIEW & APPROVAL OF MINUTES

- **February 8, 2022 Meeting Minutes** – *Motioned by:* Nancy Hall; *Second by:* Nancy Brundrett. Unanimously approved.

OFFICER REPORTS

PRESIDENT'S REPORT

The President reported:

- **Thank you!**
 - Our President wishes to thank the Membership for taking the time to join our Board meeting tonight. PSEA would like our Members to know that we understand their daily trials and struggles, and we always do our best to support them.
- **Negotiations Update**
 - Sunshine proposal – PSEA's latest negotiations topics, as well as those of the District, were reviewed at the February 10 School Board meeting (these can be seen in more detail under Agenda Item 6.1 from the latest School Board meeting minutes, which can be found on the District website under Board Meetings). The public airing of what will be negotiated prior to the Board meeting is called "sunshining". Our PSEA negotiations team met yesterday and today (March 7 and 8) to review our agenda items.
- **Wages/Job Duties**
 - Governor Newsom's latest budget proposes the highest ever funding for K-12 education.
 - The PUSD Personnel Commission is putting forward their request for the internal review of Year-3 of the salary schedule, to be reviewed by independent consultants.
 - PSEA has requested to be part of the external review of salaries for all PSEA classifications and has not yet heard a response by Management regarding status or including us in the process.
 - Let PSEA know if you see any job postings that indicate changes in job descriptions and/or duties – these changes must be negotiated with your Union.

- **COVID-19**
 - The District mandate still stands that all unvaccinated employees or those who decline to state their vaccination status must continue with weekly testing.
 - The indoor mask mandate will be lifted as of March 12. There are some exceptions such as inside hospitals, on mass transit vehicles, and the discretion of individual businesses.
- **Custodian Reorganization**
 - PSEA would like to shout-out to our custodians for their PSEA organized participation in recent Personnel Commission meetings to push back against the District's proposed reorganization of the structure of the custodial department without proper review and negotiations. The reorganization is now on hold until next year.
- **Classified Lay-Off Rules**
 - Recent changes have been made regarding classified employee lay-off rules.
- **Start/End Times for 2022-2023 School Year**
 - Late-start for middle and high schools, as well as earlier-start for elementary schools, begins in August (start of next school year). Be aware that if the District changes your work hours, they are obliged to inform you 10 days prior to the start of the new school year and at least 14 days prior if there is a change within the school year.
- **SPED (Special Education) Class Closures**
 - This year, the District closed the Special Education NSH (Non-Severely Handicapped) classes, resulting in students being relocated to their home schools while also displacing many IA's who worked in these classes. PSEA mitigated a fair process for addressing these employee displacements and ensured no job or income losses for our Members.
 - Next school year, the Special Education ASD (Autism Spectrum Disorder) Preschool classes are scheduled to be eliminated by Management, and once again, PSEA will be actively involved to work out a seniority-based process for reassigning IA's. This will be discussed with SPED leadership in further detail as part of a planned meeting tomorrow morning (March 9). We are not anticipating lay-offs, but there will likely be some moving of employees to different sites.
- **Demand to Bargain**
 - Universal T-K (Transitional Kindergarten) – PSEA is still working on how to mitigate the changes this will introduce. Last month's School Board meeting featured a presentation on this subject that claimed PSEA was already aware of all changes, which is not accurate.
- **Errors in Wages**
 - PSEA is working to find the root causes of the pervasive errors in employee wage issues. Some employees are reporting that they have been notified that they owe thousands of dollars to the District. If you are experiencing this, contact PSEA. We will first verify with supporting documents whether Management's claims are correct and then work with HR to resolve. Remember, if you do owe a large sum of money to the District, they are obliged to create a payment plan and not expect payment in full as a lump-sum. Need help? Contact PSEA.
- **Food & Nutrition**
 - The new federally mandated "food for all" program begins in August at the start of the new school year. In preparation for the increased workload, there are new positions being created with benefits, although many will be split shifts.
- **Retirement Seminar**
 - Through PSEA's Professional Learning, there will be a retirement seminar offered this Saturday (March 12) and another on May 14. Contact PSEA's Professional Learning Coordinator, Julianne Phillips, at juliannephillips@powaysea.org for more information.
- **Social Media Presentation**
 - PSEA has settled a PERB charge with the District regarding employees' use of social media. There will be a training offered in April for PSEA Site Representatives, principals, and Human Resources.
- **PSEA Site Representatives**
 - PSEA needs site reps at several schools due to turnover of our Members leaving the District. If you don't have one, you may volunteer at your site to attend the above-mentioned Social Media training.

VICE PRESIDENT'S REPORT

The Vice President reported:

- With all the changes happening in Special Education, PSEA wishes to have conversations with affected employees. Although there are many positions open across the District, we do understand that change is hard. We always want our Members to have a voice in these processes.
- A note on inclusion – we have received reports of classified employees who do not feel included in school activities or acts of site-wide recognition. An example brought to our attention was a site that gave treats and acknowledgement to certificated staff while classified staff was completely overlooked. How can PUSD talk about inclusion if we are not including adults as well? This is not OK. PSEA thanks our employees for their continued support of students. If you are experiencing a similar situation, reach out to us if you need help having these conversations.

TREASURER'S REPORT

The Treasurer's Report was delivered by The Secretary.

Beginning Balance:	\$207,173.21
Deposits/Credits:	\$37,844.32
Withdrawals/Debits	\$25,475.00
Ending Balance:	\$219,542.53

The President ordered the Treasurer's Report be filed.

SECRETARY'S REPORT

The Secretary reported:

- Nothing to report.

PARLIAMENTARIAN'S REPORT

- Are you interested in helping with the PSEA Bylaws Committee? Let our Parliamentarian know.

MEMBERS AT LARGE REPORTS

- **Diane Zimmermann:**
Diane is excited about the prospect of recruiting new Members and Site Representatives and looks forward to reaching out to get a better pulse on Members' concerns and how we can support them.
- **Christine Robinson:**
Absent.

GENERAL COUNSEL'S REPORT

Our General Counsel reported:

- There is still one pending PERB charge against the District that we are resolving. This offers a great opportunity to talk about a "no contact directive". Employees have the right to talk collectively about working conditions with coworkers or people outside of work. To restrict this (through a blanket "no contact directive") is illegal. We have resolved several such situations. It may be appropriate for an employer to institute a no-contact directive in specific cases, such as a case involving sexual harassment where it is not prudent to have both parties intercommunicating while the case is being resolved. Management also cannot restrict the chain of communication to be exclusively through Management. If you ever experience this (if you are told, intimidated, or threatened), or if you are ever told in an evaluation that you are a "complainer", that is a potential ULP (Unfair Labor Practice). Your supervisor cannot use your complaints about work conditions to lower a rating on a review. We will further discuss off-duty conduct in next month's meeting.

DIRECTOR OF EMPLOYEE RELATIONS REPORT

The Director of Employee Relations reported:

- When an incident happens at work, a supervisor will often ask our employees to put things in writing. This seems innocuous, but in many cases, it is coming back to hurt our Members. Always document incidents for your own records and send it with PSEA. Do not give your

documentation to a supervisor, especially without Union representation present or involved. Supervisors are typically not informing an employee about Union rights prior to filling out anything. If you wrote a statement and wish to revoke it, it needs to be addressed by PSEA within 25 days.

- We are looking for PSEA Members interested in training to be part of the PSEA Employee Representative team. If you are interested or know someone who may be, contact us.

COMMITTEE REPORTS

- **Professional Learning – Julianne Phillips:**
 - **Education Financial Incentive Program**
 - The deadline for submissions is May 19 and the next Committee meeting is May 26.
 - **Professional Partner Program**
 - Mentor/Partners are being assigned monthly as PUSD continues to hire new classified employees.
 - **CLC's**
 - Nine CLC's are offered this school year: 2 completed, 5 in session, and 2 upcoming. PLAB is prepping CLC offerings for next school year.
 - **Pro Grow Opportunities**
 - Understanding Your CalPERS Retirement Saturday Seminars at PSEA: Saturday, March 12 (FULL), Saturday, March 14 (Registration opens April 11), and Saturday in June (TBD).
 - District Financial Wellness and Retirement Planning Workshops – see 3/8/2022 e-mail from Carin Freitas.
- **Scholarship Committee – Gale Ching:**
 - Nothing to report.

GENERAL ORDERS

- **GO2022-03-01:** Appointment of PSEA Board Treasurer – **Courtney Brown**.
Motioned by: Nancy Brundrett; *Second by:* Nancy Hall.
Unanimously approved.
The Secretary delivered the Oath of Office to Courtney Brown. She has been confirmed.

NEW BUSINESS

- None reported.

MEMBER QUESTIONS/COMMENTS

- **Why Join the Union?**
- PSEA has the duty of fair representation for all employees within our bargaining unit. We also negotiate with Management on behalf of those employees. Situations such as grievances, payroll issues, workload concerns, or other issues that employees could potentially resolve themselves, the Union is not obligated to represent non-Members.
- **Retroactive Pay/Pay Raise**
 - The 4% salary increase took effect in February; the retroactive pay (July 2021 – January 2022) will take effect in April.
- **PSEA Membership Dues**
 - 1.15% of your monthly pay, not to exceed \$32.25 total. This has not changed in 12 years. PSEA has not raised Member dues since 2010 with a current cap at \$32.25 per month. Teachers pay around \$125 per month.
- **Adult-Student Interaction Policy**
 - Many of our Special Education IA's are concerned about toileting students in situations where an IA is left alone with a student to perform these duties. The existing Board policy explicitly restricts these interactions. Formerly, this policy restricted an employee's interactions with students outside of school in any form, so PSEA filed an Unfair Labor Practice (the policy as is, forbade employees from any form of interaction with a student other than one's own child outside of school, which proved unreasonable for employees who carpool with their children's friends or even having children at their homes, like their children's friends). Read and understand the current policy (BP 4119.24, and the 2021

revisions in 4219.24) and know that you should never be alone with a student on campus, even in a restroom, for your own legal safety. We understand the pressures that come with the current understaffing situation, but that should never be an excuse to endanger children or staff.

- **Cafe Plan Cash Pay-Out**
 - The option to take the Cafe Plan Cash as a one-time payment instead of a phased out payment will be offered in September 2022 for those eligible.

EVENT CALENDAR

- March 10, 2022 School Board Meeting
- March 28, 2022 Personnel Commission Meeting
- April 11–15, 2022 District Recess – Spring Break
- April 19, 2022 PSEA Board Meeting

ADJOURNMENT OF BOARD MEETING 6:18 p.m.

ATTEST:

Davin Erickson, PSEA Secretary

Date: _____

Next Meeting: April 19, 2022