

Poway School Employees Association
Membership & Board of Directors Meeting
12265 World Trade Drive, Suite E
San Diego, CA 92128
WEBINAR

MINUTES for September 20, 2023

BOARD OF DIRECTORS	
PRESENT	ABSENT
Courtney Martin, President Nancy Brundrett, Vice President Davin Erickson, Secretary Nancy Hall, Parliamentarian Christina Abosamra, Treasurer Shannon Reed, Member At Large Beatriz Cruz-Rivera, 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	

MEMBERSHIP MEETING

CALL TO ORDER 4:46 p.m.

FROM THE PRESIDENT:

- **Welcome!**
 - The new school year is already a busy one, so we just want to go through a few issues – “hot topics”. Moving to our new office location has been a major task, but we’re almost completely settled in. Thank you all for your patience. We want to start PSEA Site Rep meetings soon – a survey was sent out to our Site Reps, and we ask that you please fill it out. In these meetings, we wish to cover more info about PSEA and talk about the basics for new Members. These will be in-person meetings at the PSEA Office. We want these meetings to be more collaborative with more open dialogue to answer any questions or discuss concerns your site is experiencing. Our PSEA Open House is scheduled for October 19 from 3:30-5:30. Open House will be an opportunity for any Member to visit our new office and chat with other Members. We also had Pro-Grow classes here at PSEA. Reminder, we are now located in the building behind the old location.
- **Negotiations**
 - We are wrapping up the Contract from last year in IBB (Interest-Based Bargaining) and hoping to be done in the next month or two. Once we have final agreements, we will send them to Members for review, followed by a ratification vote. We will also have a vote on the Bylaws updates as presented by the Committee last spring. The 5% pay increase that was previously ratified and any increases resulting from the Classification Review salary study should have been in your July paycheck (or August if you are less than 12-month pay) and going forward.
 - Once we wrap up current negotiations, we will start again in January for the 2024-2025 school year. Our focus is on *wages, health & welfare, and topics directly from Members*. We will be putting forward a General Order later in this meeting to appoint Barbara Van Heyningen (Instructional Assistant in SPED) to our Negotiations Team – thank you, Barb!
- **Classification Review**
 - The IA I & II and BIIA job descriptions are not yet complete. Some in this job family had a recommendation by the Consultant for a reclassification (IA’s in the transition program at Abraxas). To the affected employees at Abraxas, we will meet after you return from break to

discuss your concerns. The IA I, IA II, and BIIA jobs have a lot of fluidity and often coexist in the same classroom. The recommendations did not differentiate characteristics and are still being reviewed by Special Education.

- **Policies & Procedures Violations (Transportation Department)**
 - Article 19 of the Unit II Contract defines policies specific to the Transportation Department. As a supplement to the Contract, "Policies & Procedures" spells out how extra work is doled out based on seniority. Recent violations have hindered this process – we are pursuing this aggressively.
- **Medical Procedures**
 - Any medical procedures above and beyond basic first aid are required to be done by the Nurse or Student Health Care Specialist. If you choose to be trained, it is voluntary and includes a District release of liability.
- **Evaluations**
 - Review Article 11 of the Contract. If you are new to the District – probationary status – you are to receive an evaluation at 2 months and at 4 months. *Union representation at your evaluation is your right.* We have seen an uptick in improper procedures. For all other non-probationary employees, your evaluation is every year, up to five years, and every other year after that. Also, you are supposed to be given a copy of the evaluation 2 days in advance. *It's your right.*
- **Acceptable Use Policy**
 - This policy can be found on the District's IT website. It has been brought to our attention by a Member that the policy includes supporting policies that are not actual Board Policies. Soon the District will be implementing a new authentication system for accessing the District email system for added security.

Our General Counsel reported:

- **Assembly Bill 1699**
 - California AB 1699 is a current piece of legislation that has passed through the state legislature, been adopted by the assembly, and now awaits the Governor's signature. This bill would amend the education code to give existing employees priority for new positions. We should know by the middle of October (30 days from when the Governor has received it) whether he has signed it (or vetoed it). So, it is not yet a law. It would require the District to offer new positions to current employees. If there are vacancies in part-time or full-time positions, current employees would get the "right of first refusal". It doesn't just give a window for current employees to apply, qualified employees would have to be offered the jobs first.

MEMBER QUESTIONS/COMMENTS

- **Out-of-Class Pay Forms**
 - Language from our CBA: If a Unit member is assigned to work in a higher classification for more than five (5) working days within a fifteen (15) calendar day period, the Unit member will receive an upward salary adjustment for the entire period. Page 56: The salary adjustment shall be determined by placement of the Unit member on the step of the range which most closely approximates an 8 percent (8%) increase in the Unit member's salary. However, the maximum adjustment shall be Step 5 of the salary schedule.
 - Many of our Members have been asked to perform duties within a higher classification due to the short staffing issues. If you feel you qualify for out of classification pay based on the language above, complete and Out of Classification Pay form and submit to your supervisor. Contact us with any questions, clarifications of whether you may qualify, or denials.
- **Mandated Training**
 - If you haven't received any emails regarding the District's mandated online trainings, contact Risk Management with your full legal name, employee number, PUSD email address, job title, and site/department.
- **IA's Working ESS**
 - Instructional Assistants who work additional hours before or after school in the ESS Program (Extended Student Services) have reported that they are being told that the pay they earn for ESS hours will be adjusted to match regular ESS pay. The "sub rule" can be found on the PSEA website under contracts within the ratified Tentative Agreements.

Contact PSEA with any questions about your rate of pay.

- **Classroom IA's Reassigned**

- Generally, management can determine your location on campus as long as you are working within your same classification. We have received numerous concerns from our paraprofessional members about being reassigned daily to work with different students (sometimes multiple students within the same day). This poses some major safety concerns if you are not familiar with the student and lack basic information to meet student needs. This is also very concerning for students as they are being assigned to work with several different adults which doesn't allow consistency and a feeling of safety from relationships and rapport of working with the same adult. This is very concerning and will be discussed at our next Special Education Labor Relations meeting. Contact PSEA if you are experiencing these concerns so we can meet at your site with your principal or assistant principal.

ADJOURNMENT OF MEMBERSHIP MEETING

5:40 p.m.

***** 5-MINUTE BREAK *****

BOARD MEETING

QUORUM/CALL TO ORDER 5:46 p.m. A quorum was established.

CLOSED SESSION

Nothing to report.

REVIEW & APPROVAL OF MINUTES

- **August 21, 2023 Meeting Minutes** – *Motioned by:* Beatriz Cruz-Rivera; *Second by:* Nancy Brundrett.
Unanimously approved.

OFFICER REPORTS

PRESIDENT'S REPORT

The President reported:

- Nothing further to report.

VICE PRESIDENT'S REPORT

The Vice President reported:

- It has been a good start to the school year. We hope you enjoyed Pro-Grow Day. Just know, we see you and we appreciate you.

TREASURER'S REPORT

The Secretary reported:.

Beginning Balance:	\$187,187.68
Deposits/Credits:	\$115,383.12
Withdrawals/Debits	\$129,594.48
Ending Balance:	\$172,976.32

The President ordered the Treasurer's Report be filed.

SECRETARY'S REPORT

The Secretary reported:

- We're looking to move forward with Employee Relations in a big way next month – more on that later. For now, we are looking to recruit Employee Reps and begin a series of Employee Rep Trainings starting next month. If you are interested or know someone who might be, please put your name in the chat or reach out via email to our Secretary at: davinerickson@powaysea.org

PARLIAMENTARIAN'S REPORT

The Parliamentarian reported:

- Nothing to report.

MEMBERS AT LARGE REPORTS

- **Shannon Reed:**
We are currently in talks to work with Site Reps to create more volunteer opportunities. If you are interested or know anyone who is, let us know.
- **Beatriz Cruz-Rivera:**
Our Members At Large are working together to recruit more Site Reps and provide as much info and support as they can. They will be meeting with our President the first week of October to be sure they have accurate and up-to-date info. Looking forward to a great year!

GENERAL COUNSEL'S REPORT

Our General Counsel reported:

- **ULP (Unfair Labor Practice)**
 - Two pending charges at the Public Employment Relations Board which are still unresolved.
- **Equal Employment Opportunity Commission**
 - One pending EEOC Charge involving the District violating medical confidentiality.

The President reported:

- We are reviewing potential grievances. For one regarding Extra Work assigned outside our unit, we have a formal conference on Tuesday regarding extra work not given to one of our Unit Members. We expect a quick resolution, including making this employee whole for lost wages.

Our General Counsel reported:

- The Contract features language regarding extra work (found in Article 5).

COMMITTEE REPORTS

- **Professional Learning – Melanie Rodriguez:**
 - Great Pro-Grow Day! Thanks to all the facilitators and participants. Please fill out the survey. We had 1,400 seats filled and 45 classes offered, including 25 new ones. We experienced a challenge with full classes where some people enrolled but did not show. Attendance will be reported to principals.
 - CLC information sessions are coming up. We will be offering three sessions next week: Tues 9/26 at 6pm, and Wednesday 9/27 at 8:30am and 3:30pm.
 - There will be a new CLC approved for secondary staff with Ken Blanchard companies. Details coming tomorrow.
 - We have a new CLC manual & facilitator guide.
 - CLC Squared – a program to create new CLC's and be paid for them will be launched in October.
 - PPP Mentor Program – new staff should be hearing from their mentors. There are some delays when we receive contact information only once it is inputted in the system, which can take a few weeks. If it's been a month and you haven't been contacted, please let me know. We are doing orientations on the 1st/3rd Wednesday and 2/4th Thursday pm to orient staff. A Special Education section is in the works.
 - The latest Learning Letter is coming next week.
- **Scholarship Committee – Gale Ching:**
 - Nothing new to report.

DIRECTOR OF EMPLOYEE RELATIONS REPORT

The Director of Employee Relations reported:

- Just a reminder to document things that are happening, including conversations with Supervisors. When a Member wants to file a formal complaint, keep in mind that we can't jump straight to that step. We need all the documentation, and we need to know that you had a first-step conversation with the Supervisor. For your documentation, we need information such as where the event happened and who were the witnesses – this is all helpful on our end. Recap conversations in writing and in an email to PSEA.

GENERAL ORDERS

The President reported:

- **GO2023-09-01:** Appointment of Director of Employee Relations – Davin Erickson

Motioned by: Shannon Reed; *Second by:* Nancy Hall.

All Officers present moved to approve, with the exception of Davin Erickson (Secretary) who abstained.

- **GO2023-09-02:** Appointment of PSEA Negotiations Team Member – Barbara Van Heyningen
Motioned by: Beatriz Cruz-Rivera; *Second by:* Shannon Reed.
Unanimously approved.

NEW BUSINESS

- None reported.

EVENT CALENDAR

- | | |
|----------------------|------------------------------|
| • September 25, 2023 | Personnel Commission Meeting |
| • October 12, 2023 | School Board Meeting |
| • October 17, 2023 | PSEA Board Meeting |

ADJOURNMENT OF BOARD MEETING

6:12 p.m.

ATTEST:

Davin Erickson, PSEA Secretary

Date: _____

Next Meeting: October 17, 2023