



SPALC Negotiations Minutes February 17 & 19, 2009

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SPALC Team: Donna Mutzenard, Suzan Rudd, Bob Rushlow, Patty Allen, Arto Brown, Fred Bucher, Betty Chang, Mike Hukowski, Robert Lane, Jamie Michael, Lori Overhoff

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Sara Kohlhauff

Recording Secretary: Linda Jo Sanders

Agenda

Check In
Approve minutes from 2/4 & 2/5
Finish Snap Shots
Budget Presentation
Set agenda for 2/19
Check Out

Check In

Name
Time Constraints
How are you?
Who is missing? Lori
Elephant

Expectations

Make progress ### ### ### ////
Complete today's agenda ///
Have faith in the process...it works /
Be the guide on the side

Snap Shots

Article 18 -Duration and Reopen

Story	Interest
<ul style="list-style-type: none"> • Length of contract • Condition to reopen • Reopen a portion of contract • History of doing both 	<ul style="list-style-type: none"> • Affordability • Manageability • Adaptability • Clarity • Compliance
Information Needs	
<ul style="list-style-type: none"> • 	

Job Classification

Story	Interest
<ul style="list-style-type: none"> • Joint job classification committees • Custodian/Head Custodian job descriptions • Financial impact should come through job classification committee • Hugh effort in past so not many out there now • Don't have staff in HR for comparables • Did have a job classification committee that had a good process 	<ul style="list-style-type: none"> • Fairness • Compliance • Affordability • Morale • Retention/Recruitment
Information Needs	
<ul style="list-style-type: none"> • Bring list of jobs (late in process) 	

Uniforms

Story	Interest
<ul style="list-style-type: none"> • Eligible staff for purchased uniforms were eligible for accessories if allocation not used up • Price differs depending on size • Wording changes on formula for allocation • Gender impacts the price • Number of uniforms allocated has not changed 	<ul style="list-style-type: none"> • Manageability • Fairness • Affordability • Morale
Information Needs	
<ul style="list-style-type: none"> • Breakdown of current formula • Proposed formula • Sample specifications on old prices and current prices 	

Snap Shots cont'd

Outside Experience Credit (see snap shot in first session page 4 of 15)

Story	Interest
<ul style="list-style-type: none"> • Allow for 3 years of outside experience credit for SPALC • Address granting of credit • Other units such as TALC and salary schedule N allow more experience credit • Discuss timeliness of credit • Causes difficulty in filling positions w/qualified applicants especially in Trades and IT • Teacher's experience is under State statute • Discussed issue previously • Response time from employee to Personnel can be delayed • SPALC collaborated on a process previously • For critical need positions • Perceived inequities between current and new employees 	<ul style="list-style-type: none"> • Recruitment • Equity • Fairness • Affordability • Manageability • Morale • Retention • Student needs
<p style="text-align: center;">Information Needs</p> <ul style="list-style-type: none"> • Board approved critical need language 	

Work Year/Salary Schedule

Story	Interest
<ul style="list-style-type: none"> • Budget concerns • Concerns about improving efficiency (work year) too long • Examine work year requirement for positions • Cutting benefits of 12 month employees • Commonly taken vacation days (for example around holidays) • Work year varies between districts 	<ul style="list-style-type: none"> • Morale • Ratifiability • Efficiency • Affordability • Loyalty • Fairness • Employee retention • Recruitment • Employee safety • Student safety • Employee wellness
<p style="text-align: center;">Information Needs</p> <ul style="list-style-type: none"> • Comparable data (length of work year in comparable districts) • Cost analysis – different work years, % verses cuts • Amount paid to subcontractors for last 3 years 	

Snap Shots cont'd

Probation

Story	Interest
<ul style="list-style-type: none"> • Current contract SPALC employees serve one year probation despite job changes • Current employee in new position does not serve another probation 	<ul style="list-style-type: none"> • Fairness • Efficiency • Effectiveness • Morale • Retention • Manageability • Recruitment
<p style="text-align: center;">Information Needs</p> <ul style="list-style-type: none"> • 	

Budget Presentation – see attachment

Work Plan

Thurs. February 19 session

- Uniforms
- FMLA Language
- Calendar Committee
- Moral Turpitude – criminal convictions
- Transfer Language
- Alternate Duty Training Article 7.0 & 7.062

Tues. & Wed., March 3 & 4

- Article 7
 - Alternate duty training continued
 - 7.01 Probation
 - 7.10 Discipline
 - 7.07 Reduction In Force
 - 7.105 Suspension
 - 7.103 language change to termination
 - 7.11 & 7.111 Non-reappointment

Story – Calendar Committee

- One of the difficulties of the calendar commit has been getting community involvement
- DAC does not meet prior to the October requirement
- DAC members wind up being parents – community members should be parents (not employee)
- DAC no longer gives us a cross section of community
- Committee has functioned extremely well
- DAC selection process through the SAC committee when they meet in August/September someone is asked to represent the school in DAC
- Law/requirement for having instructional calendar by a certain date
- Stakeholder want calendar early
- All other calendar build off of the instructional calendar
- Effects payroll & absence management
- Original make up of committee – 1 person from each Board members district and bargaining unit
- SAC's had to be one more than 50% non-employee
- Changes this year: committee represents school population by zone
- No requirement for DAC or SAC to participate in calendar committee
- Lots of employees are parents as well
- Parental involvement is difficult to obtain
- DAC representatives are not supposed to be school employees
- Legislature mandatory start date has impacted groups
- Attendance was not great because they are members of 3 team DAC, SAC and Calendar
- District goal is for a completed calendar in December
- Legislation could change start times again
- Historically the Board tried to move away from selecting calendar committee

Interest

- Compliance
- Parent involvement
- Timeliness
- Communication
- Morale
- Manageability

Options – Calendar Committee

1. Calendar committee meet before school ends
2. Remove number requirement for members provided by DAC – up to 6
3. Let DAC select members before end of previous year
4. Each Board member appoint 1 member from their district (5)
5. Let each principal group (Elem., Middle, High) appoint 2 non-employee members
6. Change the date of 1st calendar meeting to October 15
7. Status quo
8. Provide guidance to DAC to appoint non-employee – community representation when possible to the Calendar Committee

Straw Design A – Calendar Committee CONSENSUS

1. Change the date of 1st calendar meeting to October 15 (on or before October 15)
8. Provide guidance to DAC to appoint non-employee – community representation when possible to the Calendar Committee

Check In - Thursday, February 19, 2009

Name

How are you?

Who's missing? Ami, ~~Ron~~, ~~Jack~~, Charles, ~~Betty~~, Patty

Time Constraints 5:00

Elephants

Expectations

Productive meeting ~~###~~ /

Make progress ~~###~~ ///

Make very good progress ///

Story – Uniforms

- Proposed (revised) language for 15.02 distributed
- History of 2005 contract:
 - Accessories
 - Uniform allowance provided
 - Formula
 - Allocation determination difficult
- Utilize the most expensive top and bottom for formula (uniform allocation)
- Very few ordered split skirts and committee agreed to make an allowance if needed
- A lot of different total allocations
- Male staff allocations \$189.15
- Food Service different bid
- Last summer large increasing trend in uniforms
- Formula allowed more money than uniform allocation
- Department is spending too much \$
- Discrimination between male and female expense account
- Similar issue with male and female maintenance uniforms
- Reviewed in late July, identified a need to use the most commonly ordered top and bottom
- First have employees order what entitled to and calculate credit – approved by Mr. Rushlow
- Uniform District Labor Management Committee in existence
- Picked most common top and bottom from list
- In a way all employees treated fairly – zero complaints most commonly selected items determined credit
- Need for accessories questioned expansion of definition
- Accessories – jacket, sweaters, caps purchased after initial needs
- Language for purchased uniforms – not leased
- Explanation of leased and purchased uniforms
- Uniforms are a bargained benefit – in some cases the benefit allows the purchase of accessories
- Leased uniforms cost more than purchased – so no accessories
- Uniforms are so employees look like Lee County School District Employees
- Would like people such as bus drivers to purchase uniform accessories
- Can restrict number of uniforms needed based on budget
- Shoes major purchase since they wear out
- First need basic uniforms then can get accessories
- Changes updated in salary schedule
- Uniform Committee works collaboratively
- Everyone will be able to buy the amount of uniforms needed in the size needed and have the same accessory allowance
- Women were getting more \$ than men – view suggestion remedies this

Proposed contract language by the Uniform Committee adopted

Story – Family Medical Leave Act (FMLA) Language

- Change in law regarding military
- New rules & regulations
- Need to add language
- Rules expanded for employees
- New regulations 1/19/09
- Reviewed proposed changes to contract language
- Financial/legal arrangements now allowed
- Language mirrors language in rules
- 12- weeks extended to 26 weeks military only
- Injury on active duty
- District employee who get called up
- District has to abide by federal law
- Must maintain group medical insurance for 26 weeks
- Intermittent leave – how to report FMLA days to employer
- Employers did not like
- Same call-in procedures followed for FMLA/sick
- Medical Certification requirements employer specifies what's lacking – employee responds in 7 days
- Ongoing/lifetime – employers now can request update every 6 mo.
- Essential functions – can person perform essential functions safety issues – fitness for duty now legal to enforce
- Difficulty getting medical certification in 7 days – federal regulation
- Safety concerns for employee re: fit-for-duty
- Employee benefit 7-day extension
- Denial of FMLA – federal court
- District compliance w/federal law
- Current language is more permissive than previous federal requirement

Interest – FMLA Language

- Compliance

Options

1. Turn over to Florida Education Association (FEA) legal for review
2. Any questions from FEA legal to District's Staff Attorney

Table discussion for further review

Story – Moral Turpitude (Criminal Convictions)

- Move to article 7
- Article 11 – line 28
- Employee reports when convicted
- Misdemeanor or felony
- Examples listed
- Moral turpitude – “unusually ambiguous” according to administrative law judge
- Moral turpitude is interpreted by administrators (Professional Standards & Equity)
- Lack of clarity is a source of arguments
- How strict or broad interpretation of moral turpitude is up to individual directors
- Self-reporting of criminal is in Code of Ethics
- Seeking clarity for employers/employee regarding moral turpitude
- As players change interpretation
- Support staff do not fall under Code of Ethics
- Since re-fingerprinting District is notified of criminal action
- Dilemma is timing in receiving fingerprint link crimes
- Language similar to code of ethics
- Self-report within 48 hours for charges involving child abuse or controlled substance
- Adds “up to and including termination”

Interest

- Clarity
- Consistency
- Manageability
- Fairness
- Civil rights
- Safety
- Liability

Caucus report out

- impression is that language is similar to teacher’s code of ethics
- addition “up to and including” strengthens language

Options

1. draft language handout
2. status quo
3. table for SPALC time for more discussion

Story – Voluntary Transfer Language

- Involuntary
- Currently implement surplus list
- Openings available- employees list preference in order of desire
- Not useful and requires too much time
- Sets unrealistic expectations for the employee
- Working for a good fit between principal and employee
- Surplus employees may have a stigma in some buildings
- Some years we have been in compliance some years not – but rarely did employee choices of 1, 2, 3 come into play
- Prior to involuntary transfers we have voluntary transfers
- Difficulty with voluntary transfers is timing – vacancies may not be posted during voluntary transfer period
- New schools advertise – employees are not aware of surplus status
- Employees are advised to seek their own employment
- Intent forms to be used
- Preliminary student count shows losses
- Perception every time employees informed of surplus seniority becomes an issue
- Employees sign PAF with object code
- Para/Helping Teachers – 170 object code-Paras paid out of office function = office function
- Paras applied to many functions
- Paras moved to 4 (pay grade)
- Helping Teachers are pay grade 4
- Job classification committee needs to address job codes
- (PERC) job codes manipulate to surplus certain staff
- Grade level impacts placement
- Job Codes vs. Object Codes

Check Out