

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

MINUTES for March 7, 2023

BOARD OF DIRECTORS	
PRESENT	ABSENT
Courtney Martin, President Nancy Brundrett, Vice President Davin Erickson, Secretary Nancy Hall, Parliamentarian 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	

BOARD MEETING

QUORUM/CALL TO ORDER **4:46 p.m.** A quorum was established.

CLOSED SESSION

- Nothing to report.

REVIEW & APPROVAL OF MINUTES

- **February 2, 2023 Meeting Minutes** – *Motioned by:* Nancy Hall; *Second by:* Davin Erickson. Unanimously approved.

OFFICER REPORTS

PRESIDENT'S REPORT

The President reported:

- **Wages TA (Tentative Agreement)**
 - Last month we talked about the Wages TA (Tentative Agreement), IBB (Interest-Based Bargaining), the data we reviewed, and the proposals put forward for a ratification vote by our Members. The new agreement was approved in a landslide by our Members, which will result in an additional 5% wage increase (effective July 2023) in addition to the newly created Step-6. Thank you to the PSEA Negotiations Team! It takes a lot of commitment and an understanding of all our Members' needs.
- **Classification Review**
 - The Review is underway with Year 3 moving forward (4 job families). Please see the Personnel Commission section of the PUSD website for the details on which job families are within Year-3. The collected information has gone back to the Personnel Commission to further work over with the consultant (EMS). PSEA reviewed the data and developed questions regarding the data and analysis behind the revisions to job descriptions and salary recommendations. Our role is to make sure your voices are heard and that we verify the data and the process. We will continue working with EMS, Personnel Commission, and Management to ensure a clear employee feedback and data-driven process is followed. Previously, PSEA met with the Superintendent's cabinet in IBB to discuss wages. Our current focus is to review the recommendations by the Consultant. We have several questions about the data before we are ready to move forward allocating the \$2.3 million in funds we previously negotiated. Next IBB session is March 20. We hope to have all the

detailed info requested from the Consultant by then.

- **Member Questions**

- *“When you say job descriptions are different from what they are now, are you referring to the descriptions the employees gave to the Consultant or the ones the Consultant has come up with?”* A little bit of both. The new job descriptions are different – different format; some have different educational requirements, different parameters, different verbiage, etc. These are not officially adopted yet as we have a lot to sort through. We will advocate that employees will have the opportunity to review the final draft before it moves forward given some of gaps from the old job descriptions to the new ones or major changes proposed. Changes in certifications and duties are negotiable.
- *“When do you anticipate the adoption of the new job descriptions for Cycle 3 (Year-3) will happen?”* Salary recommendations should be implemented July 1 per our ratified agreement. Job descriptions may take longer to review and ensure employees have a chance for final review and appeal, if needed.
- *“Can Noon Duties cover for teachers?”* On rainy days, noon duties often cover supervision duties for teachers on their breaks. Due to teacher shortages, there have been a lot of IA’s expected to supervise classes without a credentialed teacher present. Many sites have hired an on-site roving substitute teacher to help alleviate this.
 - The answer depends on the details. Noon Duty Assistants typically cover the lunch and recess for students. In this case, the MPR was closed so students had to stay in their classroom. This was during lunchtime and not instructional time. If the concern is workload or negative student behavior and needing support, those are valid concerns that should be discussed with the Principal to ensure you get the support you need.
 - Noon Duties covering on rainy days may be problematic because supervising a class is out of the job description and may be subject to Out-of-Classification Pay or an argument that it is a unilateral change to the job description. It depends on the work.
 - Ed-Code is less clear. It says that students must be under the “direction” of a credentialed teacher. This was blurred by the pandemic during Zoom virtual teaching (an IA “teaching” students online without a teacher physically present but they were still virtually present). Generally speaking, classified staff should never substitute in the absence of a credentialed teacher. Liability is a concern. If you don’t feel comfortable, call us, or feel free to decline on the basis that you are not trained or qualified and refer your supervisor to PSEA. If you are comfortable, make sure your supervisor is willing to provide you with teacher pay if you are truly working in the place of an absent teacher during instructional time.
 - Not all questions (such as this) have simple answers. Call us so we can ask specific questions and give you appropriate direction.

- **Labor Relations**

- Last month’s meeting was focused on our wage increase, voting and ratification, so we did not have adequate time to report out on all the labor relations issues we have been working on for our Members. We will highlight a few and review more in-depth next month.
- Representation – Management is required, if a meeting could lead to discipline, to inform you that you have the right to PSEA representation. Also, if you are involved in any interviews or lines of questioning that is investigatory in nature, call us. Sometimes, Management may look for the “cause” of the problem and sometimes they might make that a classified employee.

- **Calendar and Work Year**

- It’s that time of year to create next year’s work calendar. PSEA counts the days in the calendar to ensure it aligns with your contracted work year. Work year calendars are a negotiable item. We’ve had issues in the past where Work Year start and end dates were arranged within a department which led to employees working more or fewer days than they were paid for.

- **Transportation**

- We recently started a committee to review policies and procedures in the Transportation Department. Members have reported arbitrary and made-up rules being implemented, so we are investigating. Please let us know if you feel this is happening by providing us with specific details we can look further into.

- **Workers' Compensation**

- We had a detailed presentation on Workers' Comp at our January PSEA meeting. Lately, there have been many more claims which lead to investigations. PSEA provides representation through this and the accommodations process for our Members. If you are being investigated by Keenan (the District's WC company), please reach out to us before you meet.

VICE PRESIDENT'S REPORT

The Vice President reported:

- Many Instructional Assistants have reached out to PSEA about the implementation of an employee "handbook" for IA's. There is no such thing. For guidance on the parameters of your job, look to your job description. Also, many IA's are regularly being asked to supervise students without a credentialed teacher present. If this is you, let us know.

TREASURER'S REPORT

The Secretary reported:

January 2023

(This report was postponed from the last meeting due to the change in the meeting date.)

Beginning Balance:	\$176,564.31
Deposits/Credits:	\$38,602.80
Withdrawals/Debits	\$34,393.70
Ending Balance:	\$180,773.41

February 2023

Beginning Balance:	\$180,773.41
Deposits/Credits:	\$38,879.81
Withdrawals/Debits	\$25,998.15
Ending Balance:	\$193,655.07

The President ordered the Treasurer's Report be filed.

SECRETARY'S REPORT

The Secretary reported:

- *"Know your rights... and know when you're right."*

PARLIAMENTARIAN'S REPORT

The Parliamentarian reported:

- The Bylaws Committee met last week. We homed in on what we need to review and fine-tune. Our next meeting will be on March 13. Thank you to everyone on the Committee.

MEMBERS AT LARGE REPORTS

- **Beatriz Cruz-Rivera:**
The District's Workers' Comp Specialist position has not been filled since April 2022. Therefore, the job isn't being done the way it needs to be done, such as employees not receiving notifications on time. If you are on Workers' Comp, follow up with Payroll for your Workers' Comp leave balance – it is not on your paycheck, it is only accessible internally. Workers' Comp impacts your other leave balances, like personal sick time, and you cannot see how it is being affected. If you are experiencing medical delays and the Claim Examiner isn't getting back to you, contact Keenan. It's better to be "the squeaky wheel."
- **Shannon Reed:**
We are two-thirds of the way done with the school year and that is relieving. Keep it up with documentation. Don't think you'll remember it – write it down!

GENERAL COUNSEL'S REPORT

Our General Counsel reported:

- **ULP's (Unfair Labor Practices)**
 - We have assisted PSEA with 2 ULP's against the District. One is the unilateral adoption of

Company Nurse and changes to the Workers' Comp process not negotiated with PSEA. The other has to do with drug testing. The District has claimed that it has the right to do random drug testing of employees in safety-related positions.

- **Grievances**
 - We recently resolved a grievance regarding overpayment to employees and a calendar not negotiated with PSEA.

DIRECTOR OF EMPLOYEE RELATIONS REPORT

The Director of Employee Relations reported:

- Much of what was planned to be discussed by our Director of Employee relations was nicely covered in this meeting in the previous Officer Reports, including the use of employee "handbooks" at school sites. We have also received calls from Members who are upset about something and want us to file a grievance. A grievance is a process in response to a violation of the contract and is time sensitive. If you are in this situation, call us so we can make sure a grievance is filed in time. Know your rights, board policy, and professional expectations. A lot of newer Principals and Assistant Principals tend to treat adult staff like students. For example, students are subject to dress codes, classified employees are not (except for Transportation). If it doesn't feel right, it's always best to reach out to us sooner rather than later.

The President reported:

- Regarding "handbooks" – site manuals that describe informational stuff like procedures, bell schedules, safety drills, etc. are OK, just not stuff that attempts to change contracts or infringes upon other rights.

COMMITTEE REPORTS

- **Scholarship Committee – Gale Ching:**
 - Opening date for applications is April 10, going through May 12.
 - Once approved by the PSEA Board, the details will be up on the PSEA website.
- **Professional Learning – Melanie Rodriguez:**
 - We have 5 CLC's currently running.
 - We are also running a Mentor recruitment and are still looking for 2 more Mentors. Information sessions on mentorship will be on Wednesday, Thursday, and next week. Interested? Applications are due by March 24.
 - New hire orientations are running on the 1st and 3rd Wednesdays of the month at 8:15am, and the 2nd and 4th Thursdays of the month at 2:30pm.
 - This month we are working on scheduling a few more CLC's. Please reach out to Melanie Rodriguez (PSEA Director of Professional Learning) if you are interested in facilitating.
 - We are also working with TLC's to provide a larger scope of offerings.

GENERAL ORDERS

The President reported:

- **GO2023-03-01:** Approval of Process and Dates for the Scholarship Committee
Motioned by: Nancy Hall; *Second by:* Nancy Brundrett.
Unanimously approved.

BOARD RESOLUTIONS

The President reported:

- ~~**BR2023-03-01:** Approval of Policy and Process for PSEA Preferred Vendors~~
The President moved to revisit this Board Resolution at the April meeting.

NEW BUSINESS

- None reported.

MEMBER QUESTIONS/COMMENTS

- **T-Shirts**
 - Email Karen Burns at PSEA if you are a new Member and want an official PSEA green shirt. Karen will verify Member status and can get you a shirt. Only Transportation has a dress code, so we are looking into PSEA hats.

EVENT CALENDAR

- March 15, 2023 School Board Meeting
- March 27, 2023 Personnel Commission Meeting
- April 6, 2023 School Board Meeting
- April 10 – 14, 2023 District Recess – Spring Break
- ~~April 18, 2023~~ ~~PSEA Board Meeting~~
- April 26, 2023 PSEA Board Meeting (*Updated Date*)

ADJOURNMENT OF BOARD MEETING 5:37 p.m.

ATTEST:

Davin Erickson, PSEA Secretary

Date: _____

Next Meeting: ~~April 18, 2023~~ **Updated Date:** April 26, 2023