

United Educators of San Francisco
Executive Board
Wednesday, October 1, 2008, 4:15 p.m.
Official Minutes

Order of Business

Agenda

1. Roll Call.....Roberto Michel, Sergeant at Arms
 2. MinutesSusan Solomon, Secretary
- M/S/C to accept the minutes of the September 3, 2008 Executive Board as presented.

Finance Report/COPE Financial Report..... Elaine Merriweather, Treasurer
and Ken Tray, COPE Director

The budget was adjusted because the bill from the district for release time came in. The district has not yet paid its portion of the bill for the contract.

M/S/C to accept the September 30, 2008 UESF and UESF COPE Finance Reports as presented.

COPE Report..... Ken Tray

Ten phonebankers, mostly paraprofessionals, staffed the phonebank on September 30. Tuesdays will be para night, and Wednesdays will be substitute night. CDP Night is October 23. The Retired Division will have two afternoons, 1:00-4:00.

100,000 mailers will be going out soon at a cost of \$10,000. This is being done early to address the many absentee voters in San Francisco. The Richmond Democratic Club endorsed all 4 of UESF's endorsed candidates, as did the S.F. Democratic Club. There will be ads in the Examiner and the Bay Guardian. There will be a 200,000-piece mailer closer to the election.

Special Order of Business

1. Arbitration Decision AppealDr. C. Kennedy
- M/S/F to reconsider the Executive Board's decision not to take this grievance to arbitration.

2. Grievance Committee Report..... Stan De Bella
 - M/S/C to take case 0809-02 to arbitration. No response to step 1 step 2 response due 10/7/08 (LP)

A written letter of reprimand was issued when there was no just cause for discipline. Progressive discipline was not utilized. Had progressive discipline been implemented there would be no case. Discipline was based on what a supervisor thought they overheard at a meeting. (No comments were directed at the supervisor; it was an aside comment to another teacher.) Progressive discipline was not followed or the supervisor would have learned that the offending comment was not uttered. Even if the supervisor's version of the affair was correct, it would not rise to the level of written reprimand.

Violates 30.1, 30.1.1, 30.1.2, 30.1.3, 30.1.3.1, 30.1.3.2, 30.1.3.3, 30.1.3.4, 30.1.3.5, 30.1.4, 30.1.4.2, 30.1.4.3, 30.1.5, 30.1.8, 30.1.10, 30.1.11, 30.1.12

Remedy: Written reprimand be removed from grievant's file

Field rep recommends for arbitration.

Committee recommends for arbitration.

- M/S/C to take case 0708-105 to arbitration. No official response to step 1, step 2 scheduled for 9/23/08 (SS)

Grievant received an unsatisfactory evaluation but there was no conference held by evaluator with the unit member. No record of any meeting is present in the grievant's file as of June 24.

Clear violation of art. 7.1.6.3 and 18.8.2.1, 18.8.2.2

Remedy: Performance Appraisal Report for 2007-2008 be withdrawn and removed from grievant's file.

Field rep recommends for arbitration

Committee recommends for arbitration

- M/S/C with one abstention to take case 0809-01 to arbitration. No response to step 1 or step 2 (AB)

Grievant was applying as a 1st grade teacher under the voluntary transfer rules. She applied to 32 posted vacancies in the district. District refused to give required interviews and considerations to this former UBC Rep and union activist for many of the positions for which she applied,! The district did not comply with the required transfer timelines, placed a new hire, an uncredentialed teacher, and many teachers that were less experienced, less qualified and had less seniority than she in these positions. The district obviously discriminated against her for her union activity and forced her to retain the position she was trying to vacate. This represents a pattern of discrimination and retaliatory action. This case is very well documented.

Violates: Art. 15.3, 15.3.1, 15.3.3, 15.3.4, 15.3.5, 15.3.6 5.7 and board policies 4410, 4430 and 4450

Remedy: Make grievant and all others whole in all respects

Field rep recommends for arbitration

Committee recommends for arbitration.

- MSC with one abstention to take case 0708-82 to arbitration. (SS)

This may not warrant going to arbitration, but it is worth sending the demand for arbitration to the district.

3. Rules Committee Report on Constitution & Bylaws Gerry Meister
Committee chair Tom Edminster had another commitment and was unable to attend this Executive Board meeting.

The hearing on the amendments was moved to October 22 so that it can take place right after the Division meetings. The purpose of the hearing is to give those affected by the proposed amendments and opportunity to ask questions and gather information. The meeting packet included the needed information, and the current Constitution and Bylaws were distributed.

4. Personnel Committee Dennis Kelly and Linda Plack
The newly-negotiated contract for the UESF professional staff was reviewed and discussed.

M/S/C with 3 abstentions to ratify the Tentative Agreement between UESF and UESF Staff Organization, California Staff Organization, National Staff Organization [USO/CSO/NSO].

M/S/C to approve the hiring of teacher Anthony Farenga for the 6-month area representative position. (Currently, there is an area rep on medical leave for 6 months.)

M/S/C to approve the hiring of retired teacher Michelle Irwin for the one-year area representative position. She is currently working through the Early Retirement Incentive Program (ERIP).

M/S/C to approve the hiring of teacher Gale Ow and paraprofessional Janet Eberhardt to split the position of paraprofessional area representative for one year.

M/S/C **President's Recommendations for Expenditures** Dennis Kelly

1. CCUEA Membership Renewal \$100.00
2. Hurricane Relief via AFT \$500.00
3. Hurricane Relief via NEA..... \$500.00
4. Labor Arbitration Institute (Registration; October 16-17)..... \$475.00
5. AFT Collective Bargaining Conference (Reg. fee 12/10-12/11)..... \$125.00
 1 Registration Housing and Meals.....(up to \$750.00)
6. Region I Leadership Conference (3 registrations up to \$1200.00)

M/S/C **COPE Expenditures**..... Dennis Kelly

1. SF Democratic Party - One Vision Contribution \$400.00
2. Save 911, No New Taxes, Yes on O Contribution..... \$250.00
3. Campaign for Teen Safety (No on 4) Contribution..... \$150.00
4. Equality for All (No on 8) Contribution \$150.00

Reports (These reports may be made in writing...not to exceed 5 minutes each)

1. President's Report Dennis Kelly
 - a. Bargaining Update

The district put forward its first proposal, which includes making discrimination and harassment non-grievable, as well as language to limit arbitrations. There was also a proposal for expedited arbitrations.

The district is balking at implementing the 71 day (K-12)/91 day (CDP) Tier 2 pay plan even though it does not cost any additional money.

There were a few questions about Proposition A implementation.

2. Vice-President's Report..... Linda Plack
 - a. Reminder about the importance of UESF members enrolling in the Catastrophic Sick Leave Bank
 - b. Reminder of need for members to submit Pre-designation of Personal Physician forms
 - c. QEIA: Contacts are needed from every QEIA school.
 - d. Housing Survey: It is very important to collect extensive feedback from UESF members in an effort to move forward with the provision of educator housing in San Francisco and with what our people want.

- e. Hardly Strictly Bluegrass Festival is this Friday, October 3. Middle school students will be attending.
- f. Calendar: It has been very productive to have nearly all the Division meetings at Civic Center Secondary School on the same day.
- g. Building Corporation: Kelly and Plack will be meeting with representatives of the National Association of Letter Carriers to continue discussions about the possibility of selling the 2310 Mason Street building.

3. Middle School Committee Report Marilee Hearn

The first Middle School Division meeting was on 9/24/08. Class size is a concern. Forms will be sent out to teachers to report on class sizes and the number of preps they have. The master schedule process again did not go well. Counselors do not have enough time to work on the master schedule. Again, classes are changing after a month of school. The PE numbers are way up in the middle schools. The committee needs to find out from the state what the recommended limits are. An extended school year is needed for middle school counselors, as is described in Contract Article 33.3. Special Education TEACH teachers, especially at MLK and Giannini Middle Schools, are not getting their lunches and prep periods. Suggestion: Building representatives should use the UBC time during faculty meetings to bring up important issues, like the sick leave bank. "Message from Joan" document is meant to be proof that there is communication from central administration (Joan Hepperly) to principals.

Allan Brill announced that UESF has filed a demand to bargain on the "Taking Center Stage Part II" plan. There will be a cease and desist letter to the district.

4. Elementary School Committee Report Darcie Chan Blackburn

Six teachers attended the meeting. Four of the six were new attendees, so some basic information was covered. There is a need for a Williams Complaint because the new math curriculum is not yet printed in Spanish, and will not be printed in Chinese. The committee wants to schedule a meeting with the Buildings and Grounds and Facilities Departments.

5. Paraprofessional Issues Carolyn Samoa

The Union-District Retirement Committee finally met to look into options to PARS. UESF has hired an actuary to look into options. Other para members may need to be named to the committee. The last laid-off para was returned to work this week.

6. Substitute Issues Pam Routh for Liz Conley

There are internal elections for Assembly delegates, vice chair and secretary. Substitutes are signing up for phonebanking. There is some concern from 160-day substitutes because some substitutes did not know that the program about being placed at hard-to-staff schools would be implemented this year.

7. Retired Division Gerry Meister

Information was distributed at the meeting about the Health Service System Fair. The division is working with AFT to contact retirees in Minnesota and Wisconsin about voting for Obama. There are also retirees going to Nevada to campaign for Obama.

Good of the Order / Announcements: There will be an anti-ICE raids demonstration on October 12 in the Mission, 1:00.

Adjournment at 6:49 p.m. in memory of Gerry Kelly.

Respectfully submitted,
Susan Solomon, Secretary