

United Educators of San Francisco
Executive Board
Wednesday, November 5, 2008, 4:15 p.m.
Official Minutes

Agenda

1. Roll CallRoberto Michel, Sergeant at Arms
2. Minutes.....Susan Solomon, Secretary

M/S/C to accept the minutes of the October 1, 2008 Executive Board meeting as presented.

Financial and COPE Financial Reports.....Elaine Merriweather, Treasurer and Ken Tray, COPE Director

Dennis Kelly gave the Financial Report in Sister Merriweather's absence. More dues have been collected than anticipated because there were members who made their dues current because they needed legal referrals. The revenue item, *USP Retirement Research*, is funding from CTA for UESF to use for research into alternatives to PAR. For COPE, there are now two checking accounts because it is advisable to account for expenditures in this way. Funds can be moved between the two accounts.

Special Order of Business

1. 2009-2010 Instructional CalendarDennis Kelly

Brother Kelly described the district's initial plan, which included starting school during the first week of August and having a December intersession. (That calendar was not presented at the Executive Board meeting.) Calendar Drafts A, B and C were in the meeting packet. Suggestions/issues: start the instructional year on a Monday; problem with loss of time during summer break; end fall semester before winter break; align with CCSF schedule; alignment with Parks and Recreation playground schedules; loss of pay for paraprofessionals for Memorial Day; 3 weeks without pay for substitutes during extended winter break. There was consensus not to approve any of the 3 drafts; to suggest a later start date; and to create a survey through Survey Monkey to get input from members.

PTA and administrators regularly attend the calendar meetings. The PTA President did not comment on the proposed calendars.

2. Grievance Committee Report..... Stan De Bella

M/S/C to accept the committee's report to take case 0809-11 to arbitration. (SS) Step 2 meeting held, but no response.

Grievant has 27 students enrolled in a second grade class (stated limit by state is 20 with 22 maximum without penalty) Violates article 9.3.1, 9.8 and violated 19.8.2.1 and 19.8.2.2 on timelines.

Remedy: Reduce class size to required amount and make grievant whole.

Field rep and committee recommend for arbitration.

M/S/C to accept the committee's recommendation to take case 0708-67 to arbitration. (EH) Teacher appointed to the San Francisco Board of Education Community Advisory Board for Special Education (by Union) Art. 31.3 indicates that "If a CAC meeting occurs outside of the 35 hour work week, the teacher shall be paid at the extended hour pay rate." District argues that this teacher doesn't get paid for those meetings (2-3) prior to her approval by the Board. Amount of money in dispute is 200 to 300 dollars; the district will spend thousands to fight this. We are in negotiations with them now and foresee a settlement. (Under art. 5.12 the union has the right to appoint on superintendant created task forces)

Remedy: Teacher will be made whole with back pay for meetings she has attended.
Field rep and committee recommend for arbitration.

M/S/C to accept the committee’s recommendation to take case 08-09-10 to arbitration.

SFUSD is misclassifying and underpaying a number of paraprofessionals as 3894/3894S temporary – as – needed employees. These employees are being denied appropriate pay and benefits and some are working 1400- 1500 hours per year!! The total amount of pay for this classification in 2005-2006 year was 15,000 hours, last year it was 40,000 hours! Violates contract provision Art. 9.4, 9.4.1, 13, 13.2.4, 14 and any other articles of the contract, district policy or state law that may apply.

Remedy: Employees be reclassified and made whole including back pay and status readjustment.

Field rep and committee recommend for arbitration.

3. Building Trades Council on “PLAs”Mike Theriault

The October 2008 *Organized Labor* newspaper, the official publication of the San Francisco Building and Construction Trades Council, had a front page article about work covered by a Project Labor Agreement (PLA) beginning at Sutro and Cleveland Elementary Schools. Brother Theriault described what a PLA is, and how contracts for construction and private sector work differ from our contract and public sector work. More than 90% of the Lopez Decision work is covered by a PLA negotiated with SFUSD. There are provisions in the PLA for student interns in the summer after their junior year. There is also an exploratory committee for accelerating high school students into apprenticeship programs in the building trades. A standard feature of PLAs is that there cannot be job actions at a PLA site, which was a sacrifice for the building trades.

M/S/C President’s Recommendations for Expenditures.....Dennis Kelly

- 1. CTA Good Teaching Conference, Jan 9-11, 2009..... 3 @ \$175.00=\$525.00
- 2. SFOP Soul of the City, Feb 23, 2009 Sponsorship \$500.00
- 3. SPUR Silver Award Luncheon, Nov 17, 2008 2 @ \$175.00=\$350.00
- 4. NAACP Annual Freedom Fund Dinner, Nov. 21, 2008 .. 2@\$150.00=\$300.00

M/S/C COPE Expenditures..... Ken Tray

- ◆ Mark Leno for Senate \$2,950.00

COPE..... Ken Tray

Updates for election results for the Board of Education were stated beyond what was in the meeting packet, but the numbers did not change the outcome. Three of our four endorsed candidates, Norman Yee, Sandra Fewer and Rachel Norton, won. The outcome for Board of Supervisors was not known yet because of ranked-choice voting.

Resolutions

M/S/C to table this directly to the Assembly without a recommendation.

- ◆ Standing Up for Immigrant Children and Their Families ... PJHR Committee
Whereas UESF has previously defended immigrant workers and their families;
and

Whereas SFUSD has endorsed and publicized a detailed pro-immigrant and anti-ICE raid policy (SFUSD Resolution: No. 74-24A2, page 56 of the Student/Parent Handbook); and

Whereas there has been an intensification of ICE (Immigration and Customs Enforcement) raids and deportations nation-wide and locally; and

Whereas San Francisco must be strengthened as a sanctuary city and SFUSD needs to be supported and strengthened in its commitment to ALL children, especially those most vulnerable to scape-goating;

BE IT RESOLVED that UESF reiterate its commitment to defend the rights of immigrant children and their families and

BE IT FURTHER RESOLVED that UESF request that SFUSD post and publicize Resolution 74-24A2 at every school site and

BE IT FURTHER RESOLVED that UESF encourage all UBCs to make sure that Resolution 74-24A2 is, in fact, posted and publicized appropriately at all sites and

BE IT FURTHER RESOLVED that UESF request information from SFUSD about collaboration between the district and community organizations such as the SF Immigrants Rights Commission in regard to the monitoring of the implementation of SFUSD's policy as outlined in RESO 74-24A2.

Reports

1. President's ReportDennis Kelly
 - a. Bargaining Update: UESF has not responded to the SFUSD staffing proposal. UESF and SFUSD signed a Tentative Agreement on Health and Safety.
 - b. "Prop. A" FAQ: included in meeting packet.
 - c. "Balanced Scorecard": UESF has been working hard to put together a joint training with the district for administrators and building representatives on implementation, enforcement and understanding of the contract at school sites. The district representatives are now showing an increased interest in the training because they want to include BSC in the training in a major way. Correspondence between Superintendent Garcia and Brother Kelly, whose letter is yet to be sent, was included in the meeting packet.
2. Vice-President's Report..... Linda Plack
 - ◆ 2310 Mason Street Building Report
 - After five years UESF is still at a stalemate with NALC Local 214 over the building we own together.
 - Background: The agreement provides for joint use of the second floor, UESF to occupy the third floor and NALC Local 214 to occupy the fourth floor. Payment for the renovations required to make that happen and bring the

building up to ADA requirements will be over \$2 million. UESF pays 64.6% of all costs. For decision making, neither union has a 51% vote.

We have maintained that we want to sell our portion of the building. There are buyers who are interested in purchasing the building. NALC Local 214 does not want to sell. We have an offer for 2/3 of the building that would not provide for any joint use of space. For several weeks the NALC 214 leadership has refused to meet.

Dennis and I attended a membership meeting where we attempted to explain the UESF position. We were not encouraged by the reception we received.

Our options:

1. Do nothing. The building continues to deteriorate. We have had to spend money on repairs to the roof and decks to staunch water leaks. The risk of a demand to make the building accessible is real and could be triggered by a demand from a member of either organization or the public.
2. Do the renovations. UESF would need to refinance the present mortgage. We would still not have adequate space for staff and we are too far from the district office.
3. Move ahead with activities to try and sell our portion of the building without the other union's consent. This could result in a serious legal challenge that could prove to be very costly.
4. Engage in a mediation process with a federal or state mediator.
5. There is always the possibility that NALC 214 will sue UESF to require compliance with the building agreement.

A resolution will likely be presented to the Assembly meeting. In the meantime, if any Executive Board members have suggestions for how to approach this situation, they should contact Sister Plack.

M/S/C to extend the meeting by 10 minutes.

3. Rules Committee Report Tom Edminster

The information requested by the Rules Committee was included in the meeting packet, pp. 20-26. Brother Edminster stated that the process is ongoing, that there is ongoing give and take with ideas between the committee and UESF Executive officers, and that clarification is still needed on what it means to need a majority vote. As there was not enough time to complete the discussion, it was carried over until the Assembly meeting.

Adjournment at 6:40 p.m. in memory of Karen Zapata's father and retired member Russell Janigian.

Respectfully submitted,
Susan Solomon, Secretary