

**United Educators of San Francisco  
Assembly Meeting  
Wednesday, December 17, 2008, 4:15 p.m.  
Official Minutes**

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**Minutes**

Approval of Minutes ..... Susan Solomon  
M/S/C to accept the November 19, 2008 Assembly meeting minutes as presented.

**Financial Report/COPE Financial Report**..... Elaine Merriweather

M/S/C to accept the November 30, 2008 COPE Financial Report as presented.

UESF finally received the District's portion of the contract-printing bill. The cost was a little higher than anticipated.

M/S/C to accept the November 30, 2008 COPE Financial Report as presented.

**Resolutions**

M/S to oppose the resolution below. President Kelly ruled the motion out of order. Tom Edminster challenged the chair.

The basis of the challenge: Brother Edminster stated that the report of the Rules Committee, as sent to every member, should be voted on at this meeting. The recommendation of the Rules Committee was to separate out the dues portion of the resolution about amending the bylaws.

Brother Kelly stated that what is being suggested, and what the Rules Committee recommended, can be done at the second reading at the Assembly meeting in January.

M/S/C to uphold the ruling of the chair.

1. Constitution and By-Laws Resolution .....Dennis Kelly  
**Whereas the following changes in the Constitution and Bylaws are necessary to clarify the language and practices of the union, stabilize the union's finances, and allow for membership growth,**

**Therefore be it resolved that the Executive Board authorizes the passage of these changes to the UESF Constitution and Bylaws and shall direct that they be presented to the Assembly for first and second reading.**

**Clarifications:**

**BYLAWS**

ARTICLE I. Assembly and Membership Meetings

Section 1. c. . . . In addition the UBC at each school, unit, or other site shall supply UESF with a complete list of Assembly members and alternates. Elected Building Representatives and UBC members shall be seated as Assembly members if a special election for Assembly is not held at the site. UESF shall compile from these lists a roster of Assembly members. . . .

Section 2. Unless otherwise ordered by the Assembly or the Executive Board, regular Assembly meetings shall be held at least once each month during the

regular school year, ~~except that the September meeting shall be held on a date determined by the Executive Board.~~ There shall. . . .

ARTICLE II. Executive Board Meetings

Section 1. . . . The Executive Board shall convene ~~the school year~~ at an August meeting, on a date. . . .

Section 3. One more than half of the Board members shall constitute a quorum.

ARTICLE VII. Building Representatives and Building Committees (*p. 14*)

Section 4. Elections

a. Building Committees and Building Representatives shall be elected annually, normally in May or the beginning of the school year, by the members. .

ARTICLE VIII. Committees

Section 1. Standing Committees

f. (last sentence) . . . The COPE Director is ~~to be~~ responsible for the COPE financial reports to the Executive Board and Assembly.

ARTICLE XIV. Dues (*p. 23-25*)

Section 2. b. (beginning of third line from bottom) Delete "h" before "salary."

Section 4. Dues for all Substitute members of the certificated bargaining unit and of the USP bargaining unit ~~Substitute dues~~ are one and half. . . .

**Adjunct Membership**

CONSTITUTION

ARTICLE IV. Membership

Section 4. Membership in UESF shall be open to those who are employed to provide supplemental services. Membership under this section shall be known as "adjunct membership."

BYLAWS

ARTICLE XIV. Dues

Section 5. Adjunct member dues are one and one half percent of gross salary. Affiliate dues shall only be collected if required by the affiliate agreements.

**Dues**

**BYLAWS**

ARTICLE VIII. Committees

Section 1. Standing Committees

c. Budget Committee

ii. The Budget committee shall be responsible *to annually review and recommend any modification* in the certificated dues base (*local dues and affiliate dues*) to the Executive Board for ratification by the Assembly following full notification of the membership.

Section 8. Dues for any non-SFUSD unit shall be set at the time of affiliation with UESF. These dues may be phased in over a period of time to reach full UESF dues levels as soon as practicable.

Section 9. Dues Rates,

a. The UESF certificated dues base shall be Full Dues, Half Dues and Quarter Dues, reflecting the monthly dues categories in effect as of the date of ratification of these Bylaws, January 2, 1991.

b. To ~~establish~~ *change* UESF certificated dues, the Budget Committee shall recommend the certificated dues base, including affiliate dues and fees, to the Executive Board for ratification by the Assembly following full notification of the membership.

ARTICLE XIV. Dues

Section 7. Dues on all stipends and work beyond the school day (including summer school, professional development, etc.) are one and one half percent of gross pay.

2. M/S/C Status of 2310 Mason Street..... Linda Plack  
WHEREAS after five years we are still at a stalemate with NALC Local 214 over the building we own together; and

WHEREAS the original 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; and

WHEREAS UESF has determined that the location and available space does not satisfy UESF's needs; and

UESF has sought to amicably resolve the situation by candidly presenting UESF's concerns to the Letter Carriers by appearing before the NALC membership, and by bringing legal and real estate professionals into discussions with all parties; and

WHEREAS 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.

THEREFORE be it resolved that the Executive Board authorize the building committee to engage in a mediation process with a federal mediator to try to bring the parties together.

3. M/S/C to postpone the resolution indefinitely: Local Implementation of Salaries for Substitutes..... Tay McArthur  
WHEREAS our UESF colleagues, the substitute teachers of the Substitute Division, have requested UESF contract negotiations support for "Professional Salaries" based on professional training, and experience, since: May 24, 2001 (attached and February 10, 2005 (attached); and

WHEREAS the UESF; and Executive Board of May 2, 2007 (attached), M/S/C Resolution #1: Which stated, "That UESF contract negotiations support of

professional salaries for substitutes...," would promote that same "professional Salary Policy" as UESF Convention Agenda items with each of our: CFT/AFT, CTA/NEA affiliates, along with the Secretary's minutes notation that, "Several members spoke to the importance of this resolution to all teachers," and

WHEREAS, whenever any brand new concept, form a "Building for the Future" Union Bargaining Agent – such as UESF – is presented at the table, because it is so new, it is usually received with little or no "initial traction" (receptivity, interest, enthusiasm or understanding) from the other side of the table – thus, requiring a period of "education;" and

WHEREAS the funding provided by the Parcel Tax initiative, which was equally supported by substitute teacher precinct walkers and substitute teacher phone bankers, provided the ideal first opportunity (which may still be doable) for the inclusion of "Substitute Teacher Professional Salaries" within the framework of the "For Teacher Salaries" segment of the proposition, which was so warmly endorsed by San Francisco voters, and

THEREFORE be it resolved that the UESF bargaining team, in the course of preparing and representing all future compensation proposals shall establish, as a major priority, contract provisions for the inclusion of "Professional Salaries for Substitute Teachers" based on the attached "professional training and experience" criteria.

Concerns were raised about the details for calculating substitute salaries, which could be viewed as onerous or burdensome. There was also concern about the likelihood of making these gains at the bargaining table in light of the fact that the governor wants to balance the state budget by cutting education. Concern that more-qualified subs will not be assigned, in favor of less-experienced subs who can be paid less.

**Special Order of Business**

- 1. Holiday Coat Drive.....Dennis Kelly

UESF is participating in the annual "One Warm Coat" drive. Coats were collected at the meeting and can also be brought to the Executive Board meeting on January 7, 2009.

- 2. Rules Committee Report ..... Tom Edminster

Brother Edminster gave a brief recap of the committee's report.

**Reports**

- 1) President's Report .....Dennis Kelly

- a) Bargaining Update

At the last bargaining session, the 71/91-day substitute issue was resolved so that the language UESF believed to have had all along was included. The parties have gone back and forth on a staffing proposal. There will be a half-day bargaining session tomorrow with a caucus for the first half of the day. There are two dates scheduled in January. UESF continues to be unhappy with the pacing.

- b) Parking Arrangements for 727 Golden Gate Avenue

(Letter from Tom Ruiz in packet) The District has offered to look for other school sites for our meeting. There was a discussion about possible sites.

- c) Board Policy on ICE Raids (Report): Principals have been instructed that they are not to comply with ICE agents in the school vicinity. Mission High School has a "Know Your Rights" document that members will provide to Matthew Hardy.
- d) Calendar: There was a discussion about the rumors that are floating about the implementation of a different instructional calendar for the 2009-2010 school year. The changes Superintendent Carlos Garcia is recommending will not be implemented in the 2009-2010 school year.
- e) Unemployment Hearings Report.....Eric Hall  
Notification arrived today that UESF won approximately 30 of the cases, and lost two. Brother Kelly pointed out that even though representation at unemployment hearings is not part of the union's responsibilities, Eric Hall has done a wonderful job.
- f) District Policy Regarding Electronic Devices at Schools (Report in meeting packet)

2) Executive Vice-President's Report ..... Linda Plack

- a) Housing Survey: 486 people responded: 75% teachers, 14% paras, some administrators, and 51 others. There is great interest in subsidized housing. Realistically, it will have to be multi-family housing. Respondents were accepting of all neighborhoods. 48% said they would be willing to sell their subsidized housing to another educator upon moving out. 40% said they would have to think some more about that. This effort has come about because the District has surplus property that could be used toward providing subsidies. There will be further study of the results and of the surplus properties.

3) COPE Committee ..... Ken Tray

Brother Tray gave a report about his recent trip, with the San Francisco Labor Council, to Shanghai and Quon Jo (spelling). While there, the delegation met with teacher union and trade union representatives. There is a process underway to form an affiliation between SFLC and Guangzhou.

4) Divisional Reports:

- a) Middle School Committee Report..... Marilee Hearn

Sister Hearn thanked Eric Hall for his presence, as Allan Brill was unable to attend. There was a discussion about how site Leadership Teams are selected. The Leadership Team is paid at Horace Mann, which was cause for alarm and concern.

- b) Elementary School .....Darcie Chan Blackburn

The committee met with the SOISs. Issues discussed: 1. Pilot report cards: request to find out what is going on. 2. Problem with scheduling parent-teacher conferences a week before the end of the grading period. 3. Too many meetings at sites. 4. Monthly meetings of the committee and SOISs were set.

- c) Paraprofessionals.....Carolyn Samoa

The Union/District Para Medication Committee met and discussed whether paras can be trained to administer medications, and if so, how. UESF has been asserting that nurses cannot train non-nurses. A 7-step criterion was developed to determine how to solicit volunteers. A Sacramento court ruled that it is not legal for non-nurses to administer medication. The District says this ruling does not apply to San Francisco.

Sister Samoa accompanied her father, LeRoy King to Sacramento on December 15 to watch him cast his electoral vote for Barak Obama.

- d) Substitutes ..... Liz Conley  
(Report included in packet)

e) Retired Division..... Gerry Meister

On January 8, the Health Services System board will vote on recommendations from the three HMOs. Kaiser has proposed a 5.5% increase, with no change in copayments; Blue Shield, 15%; and PacifiCare, 65%. The Rates and Benefits Committee recommended that Kaiser be accepted and PacifiCare be dropped.

The December 10 retiree luncheon was great.

Ramiro Cruz passed away. There was no notice in the *SF Chronicle*. Brother Cruz was a union member since 1962. As a retiree, he headed up theater planning. He was the host on little television program UESF had.

f) Sergeant at Arms Report ..... Roberto Michel

In attendance at the meeting: Representatives from 4 high, 4 middle, 10 elementary, and 2 K-8 schools, and 2 CDCs, 7 substitutes and 1 member of the Retired Division.

**Adjournment:** 6:04 p.m. in honor of Ramiro Cruz.

Respectfully submitted,  
Susan Solomon, Secretary