

THE ADVOCATE

Respect Our Work, Respect Our Contract Members demand an end to unfair labor practices

Fed up with unfair labor practices by the District, a delegation of SDEA members delivered a petition to Superintendent Bill Kowba, the School Board and their chief legal counsel Larry Schoenke at the School Board meeting on Tuesday, Nov. 27.

Unfair labor practices are violations of the Educational Employment Relations Act (EERA), the state law that gives District employees the right to organize a union, bargain collectively, be free from retaliation for union activity, and for Association Representatives (ARs) and union staff to represent members. The right of SDEA members to bargain collectively means that SDUSD must honor the contract that is bargained, and can't make changes to it nor our "terms and conditions of employment" *without* bargaining with SDEA members. That's the union difference.

The petition, signed by about 150 members from schools across the District, called on Kowba, the School Board members, and their attorney Schoenke, to stop unfair labor practices against union members. SDEA Vice President Lindsay Burningham spoke at the meeting, outlining some of the pressing unfair labor practices, including:

- **SDUSD won't honor our secondary class size rights.** Our right to secondary class sizes of no more than 36 students is in black and white, but SDUSD claims they don't have to honor it.
- **SDUSD refuses to participate in arbitration over members' grievances.** When the District won't resolve disagreements about our work rights, our contract gives us the right to seek relief from an outside, neutral arbitrator who hears both sides and makes a decision, like a judge. But SDUSD denies our right to arbitration. SDUSD refuses to put before an arbitrator grievances that include:
 - **Nurse and counselor staffing ratios.** Our contract guarantees that every school will have nurses and counselors.
 - **Submitting daily lesson plans to the principal.** While we create lesson plans for our own use, our contract guarantees that we can only be required to submit them to the principal for a defined period of time and for a specific reason — not forever and for no specific reason.
- **SDUSD started charging new fees of \$2,400-3,000 to new teachers in BTSA.** But not only did SDUSD start deducting fees



From left: SDEA Secretary Michelle Sanchez, SDEA Treasurer Manuel Gomez, and SDEA members Mary Turnberg, Emily Neidhart, Claudia Weimer, Meghann Hughes, Pat Thomas, Gretchen Nakanishi and Clare Cho participated in a delegation to present a petition demanding that the District respect our contract to the SDUSD School Board on Nov. 27. SDEA Vice President Lindsay Burningham (right) addressed the School Board, demanding an end to SDUSD's unfair labor practices.

from teachers' paychecks for BTSA, they also stopped paying teachers for completing the program.

- **SDUSD started charging new fees to retired SDEA members who choose District healthcare.** Our contract guarantees us the right to participate in the District healthcare plan when we retire. SDUSD says it's their prerogative to charge any fee they want to retirees.

"The reality is that when the District commits an unfair labor practice against any SDEA member, it impacts *every* SDEA member," said Burningham. "An unfair labor practice dishonors our contract, and our right to have a voice at work in the decisions that impact us."

SDEA will continue with legal charges against SDUSD for the unfair labor practices, and members are gearing up for accountability sessions with School Board members about the unfair labor practices this winter.



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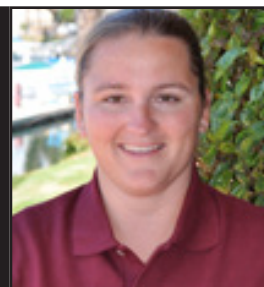
Nanette Najera



Letters in Solidarity

Bill Freeman
SDEA President

Lindsay Burningham
SDEA Vice President



We appreciate your support as we move forward

We hope all of you had a wonderful Thanksgiving and enjoyed your well-deserved break. The leadership of SDEA wants to express our appreciation for your support during the recent recall attempt. Last June SDEA members stood together and voted to save more than 1,500 jobs and protect our students' education. A union makes sacrifices for the greater good, and our members stood up and made sacrifices for the students of San Diego. Those sacrifices paid off now that Prop. 30 has passed and school funding will increase. It is now time for SDEA to unify and focus on what is best for the members of SDEA and the students we serve.

Your current SDEA leadership is well grounded in the District's and the State's financial situation and relies on facts to guide decisions that will benefit all our members. The leadership will continue to look at the facts and the situation *realistically*, listen to all members' input before making decisions and do our best to gain rights for our members. We will be responsible and follow the statutes of EERA, so that we legally and *responsibly* represent our union members in our relations with the District. You can *rely* on SDEA to protect your rights and continue to

fight for better working conditions and protect jobs!

We have informed the District that we are ready to sit down and ensure a timely and accurate implementation of the bargained agreement. In the coming month, we will meet with the District to discuss restorations, expanding the retirement incentive and the implementation of the professional development days to offset furlough days. SDEA will monitor and discuss the District's interim financial reports, the District budget, and the Governor's initial January state budget proposal and how it will impact education funding and our compensation. Although the District may project a deficit today, they cannot accurately predict their future financial status prior to a proposed state budget.

Now that we are past the election, we have much work ahead of us. It is time for us to come together and continue the union's work. Your SDEA leadership appreciates the confidence and support of the members.

Bill Freeman
Bill Freeman
SDEA President

Lindsay Burningham
Lindsay Burningham
SDEA Vice President

What does Prop. 30's passage mean for our contract?

The passage of Prop. 30 begins the process of putting public education funding on the right track. Instead of draconian education cuts that would have swept \$48 million from SDUSD mid-year (resulting in an additional three-week reduction in the school year), the District now can expect level funding for 2012-13. Its passage begins the process of paying back deferred statewide funding allocations from previous years. Most importantly, instead of a downward trend in revenue, SDUSD will see a steady increase in educational funding per student over the next several years.

For SDEA members, Prop. 30 funding leads to stronger job security and the restoration of deferred raises. Even while the District may project (keyword "project") deficit spending in 2013-14, they now can begin to develop a balanced budget for the coming years, which includes funding for jobs and compensation. With Prop. 30, the Governor has projected as much as a \$2,400 increase per student in four years. That's good for every aspect of our

schools and jobs!

The June 2013 agreement contains the following language that is tied to the passage of Prop. 30:

- Deferred raises are paid back. There will be an up to 2% raise effective Jan. 1, 2013 tied to increased BRL/ADA (*Base Revenue Limit per Average Daily Attendance*), based on a contractual formula. The remaining 2% and 3% raises are implemented as money comes in, but in *no* case later than July 1, 2014.
- A 1% increase to Step 17 effective July 1, 2013.
- Increases to BRL/ADA trigger restoration of furlough days based on a contractual formula. We also capture any new unrestricted money to restore furlough days in 2012-13 and 2013-14.

It is SDEA leaders' expectation the District not issue Reduction in Force notices this spring. We will need to be vigilant to protect jobs and ensure the District makes decisions based on facts and not projections. 2013 should be "The Year of No Layoffs."



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Focus on Health: Avoid the Holiday Blues

For many, the holidays are not a time of cheer, but of dread, exhaustion and even depression. The symptoms are similar to those of severe depression, the difference being that holiday blues tend to come and go with the season. If you experience a lack of interest in usually pleasant activities, sleep disturbances, appetite changes, agitation or anxiety, help is just a phone call away through VEBA's Employee Assistance Program.

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Website: www.liveandworkwell.com
Access Code: VEBA

The EAP is extremely valuable during the times in your life when you need help and don't know where to turn. All EAP services are confidential.

Ways to Cope

- **Do something different** if traditional activities are a cause for dread.
- **Pace yourself**, forget the unimportant stuff. So what if all the decorations don't get put up? Skip a party if it causes you stress.
- **Take the focus off yourself**; volunteer to help others.
- **Exercise to reduce stress**, limit alcohol, and only take a nibble of the goodies that produce sugar highs.
- **Keep track of spending**, post-holiday bills can be a real downer.
- **Avoid the scrooges**, spend time with positive people.
- **Live in the present**, don't compare past and current holidays. When you compare, you despair.
- **Resist resentments** related to holidays past. Forgiveness goes a lot further than holding a grudge.
- **Take a breather** and make time for yourself.

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