

# THE ADVOCATE

## SDEA wins big on layoffs, ULPs this month

The past month has seen four major victories for SDEA members. For the first time in years, the School Board voted to direct District staff to develop a budget with no layoffs. While we still need to keep pressure on to ensure that they honor their commitment until the layoff deadline passes, members should be incredibly proud of the work we did together to pass Prop. 30 and then hold the School Board accountable to ensure that our schools and our students have the stability they need and deserve.

SDEA also won big victories on three of the many Unfair Labor Practices (ULPs) that the District has committed. We secured an end to new charges for BTSA, and protected members' right to union representation and

our right to request and receive information from the District (*see page 2 for details*).

All of these wins have one thing in common: They are a direct result of member organizing! Read on for first-hand accounts from ARs who participated in SDEA accountability sessions with School Board members to secure a layoff-free spring and protect our legal rights.

### Beiser Pledges to Fight Both Layoffs and ULPs

by Adam Goldstein, Hage Elementary School AR

On Friday, Feb. 1, I attended an accountability session with Kevin Beiser. The meeting was held in a classroom at Patrick Henry HS, and despite it being held on a Friday afternoon, the room was packed with concerned

and enthusiastic SDEA members.

Right off the bat, Kevin Beiser made some very important commitments; most notably, a firm and unequivocal pledge to make sure that no layoffs will be considered for the 2013-2014 school year. He also vowed support for ending the District and its legal department's refusal to take grievances (like nurse and counselor staffing) to arbitration. He voiced his backing for returning to and respecting safe nursing and counselor staffing ratios, as well as a commitment to end unfair labor practices.

It was definitely good to hear Mr. Beiser's strong words of support. However, as they say, actions speak louder than words. The members present did a great job explaining how important it

is to make sure that the District honors our contract in all areas; from enforcing the hard cap of 36 students at secondary schools to making sure that principals stop violating our agreement on lesson plans.

Mr. Beiser explained that he supports the District's plan to use attrition and real estate sales to prevent layoffs and keep our schools communities stable. He also stated that attrition should not result in increased class sizes. Many of us were concerned with an email that had been sent by Superintendent Bill Kowba earlier in the day that seemed to contradict many of the commitments that Mr. Beiser made. These contradictions

See **VICTORIES**, page 3

## Tubman teachers bargain strong new contract

Teachers at Harriet Tubman Village Charter School successfully bargained and ratified their second contract with their school administration. As teachers from one of the oldest charter schools in San Diego, Tubman teachers unified to protect their contract in the face of efforts from administrators to weaken basic standards and take away other rights. Heading into negotiations, teachers decided their bargaining goals were to protect and improve upon the

basic standards guaranteed in their contract, such as wages, benefits and work hours. Their employer's goals, however, were to make teachers pay more for their health care, to seriously dilute seniority rights by using non-objective employer-decided criteria in case of layoff, and to increase the probationary period from two to three years.

Tubman teachers fought back to preserve the standards

See **TUBMAN**, page 2



**Tubman teachers ratified their second contract, which protected wages, benefits, and core union rights. Teachers' pay and benefits matches the District standard, plus they won a \$1,000 bonus and will pilot five paid professional development days.**



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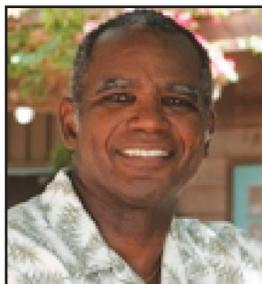
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## Letters in Solidarity

Bill Freeman  
SDEA President

Lindsay Burningham  
SDEA Vice President



## Collective action leads to union victories

SDEA Members,

Union membership gives us the opportunity to have a powerful collective voice, which allows educators to accomplish things we cannot on our own. We must use that voice to protect our rights and to improve the standard of living for all educators. SDEA gives us this voice. When we use our collective voice we can accomplish many things.

We have recently visited a number of sites and have spoken to many members who have expressed their appreciation for settling long-held Unfair Labor Practices (ULPs) by using our collective voice with the District. SDEA leadership continues to reach out to members in order to ensure our contractual and legal rights are honored.

One victory we can celebrate is in fighting back the District's decision to charge new fees for teachers taking BTSA courses. This as a unilateral change to our conditions of employment, which is a violation of the law. This ULP never reached a formal hearing, because our collective voice was heard by the District. As a result, SDEA members improperly charged for BTSA courses will collectively be reimbursed close to \$450,000.

Another victory was the District's refusal to provide SDEA with information necessary

to enforce the contract. The ULP settlement we secured enhances our ability to access accurate information and allows us to properly defend the rights of educators when the contract is violated. Additionally, the resulting improved system of acquiring information will make it more difficult for administrators to hide vacant positions as we prepare for the upcoming Post and Bid period.

A third victory for SDEA members centers on the right to representation. The District erroneously claimed that educators could not be represented by SDEA unless they provided a signed statement indicating the desire for representation. This ULP was settled in favor of SDEA as well.

Educators and union members have fought hard for us to have a strong collective voice. We must never give up the right to have this voice in our workplace, or in decisions which affect our students. As we use our collective voice to uphold our rights and the rights of others, we become stronger as individuals and as union members.

In Solidarity,

*Bill Freeman*  
Bill Freeman  
SDEA President

*Lindsay Burningham*  
Lindsay Burningham  
SDEA Vice President

## Tubman

*Cont. from p. 1*

which SDEA members have fought for and won: The same District salary scale with the same step raises, the same District probationary policy which provides job security and protection from arbitrary terminations or disciplinary actions, a fair grievance process that ends with an objective third-party arbitrator, and seniority rights that recognize teachers' commitment to their school. Healthcare coverage at Tubman is preserved, with no increases in out of pocket costs.

Additionally, teachers at Tubman bargained a one-time bonus of \$1,000 and a brand-new pilot program of five new paid days of professional development that will be scheduled and planned with input from bargaining unit members.

Throughout the bargaining process, Tubman

teachers stayed active and involved in union meetings, and demonstrated support and unity for each other at Tubman governance board meetings. The result is a contract that both school administrators and teachers can point to as a positive contribution to Harriet Tubman Village Charter School.

When teachers are working in our community without the same basic rights and protections as SDEA members, it hurts all of us and puts those same rights and protections at risk. SDEA members are getting more active in reaching out to unorganized teachers in San Diego. Do you know a teacher working at a charter school with no union contract? Can you get more involved in our program of talking to unorganized teachers in San Diego? Please contact Pat Alvarez at the union office to find out how you can help.

Congratulations to our sisters and brothers at Harriet Tubman Village School!

## Victories *Cont. from p. 1*

had to do with the “flexibility” in school staffing and class size ratios that Mr. Kowba asserted would be necessary to allow for the attrition based model to work. Members voiced a real desire for the Board to honor our contract, which is a way of showing respect to SDEA members.

The fact is, we all worked hard to help pass Proposition 30. The voters spoke loudly and clearly that they want money to go to our schools. They want programs fully funded, they want class size limits honored, and they want the destructive cycle of layoffs to end.

It was inspiring to see so many SDEA members advocating so strongly for our rights. I left the meeting reminded that we really are stronger together.

### **Barrera Strong on Layoffs, Won't Engage on ULPs**

*by David Erving, Hoover High School AR*

On Wednesday, Jan. 23, the union

members at Hoover High School hosted an accountability session with Richard Barrera. The good news is that Mr. Barrera strongly committed to oppose layoffs, and was receptive to union members' concerns. Central Elementary CR Michael Stanley pointed out the negative impacts of layoffs, and specifically talked about his experience at Central. SDEA Vice President Lindsay Burningham expressed that his commitment was appreciated, but that members won't rest easy until after March 15. Our continued vigilance in holding School Board members accountable is important until the layoff deadline has come and gone.

Mr. Barrera was less strong in his commitment to resolve the District's ULPs. He said he was willing to hear members' concerns, but was not willing to “negotiate” over them in that setting. SDEA members were not asking Barrera to negotiate with us. We were asking him to direct District staff to follow our contract and the law.

La Jolla High School AR Pat Thomas

eloquently pointed out that the 36:1 secondary class size cap is crucial. Each additional student means additional parents and work for every teacher. Other teachers raised an issue with the excessive and non-contractual lesson plans requirement in certain areas of the District. Mr. Barrera continued to avoid talking about specifics with the various Unfair Labor Practices. I objected at that point. I emphasized that we weren't asking him to agree with us on the specific merits of these cases in this meeting. Rather, we need him to defend the principle of having a neutral third party hear and settle our grievances if they can't be resolved through the lower levels of our grievance procedure.

Members left the meeting encouraged by Mr. Barrera's commitment to oppose layoffs this spring. We remain hopeful that Mr. Barrera and the Board will push the District settle grievances fully, but we also but realize that we have more work to do to make sure that the District honors all aspects of our contract.

**SPRING SDEA ELECTION ANNOUNCEMENT:** The spring SDEA election for the SDEA Board and delegates to CTA State Council and NEA-RA will be held March 4-15, and will be conducted via paper ballots which will be mailed to members' home and/or site. Materials for the election are available for download at [www.sdea.net/about/sdea-elections](http://www.sdea.net/about/sdea-elections).



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