

May 8, 2014
SDEA Proposal to SDUSD
Delete Article 34: Furlough Days

ARTICLE 34. FURLOUGH DAYS

Section 34.1: FURLOUGH DAYS

- 34.1.1. ~~The 2010-2011 contract year shall include five (5) certificated furlough days to be mutually determined by the parties on or before March 12, 2010. The furlough days shall be student contract days.~~
- 34.1.2. ~~The 2011-2012 contract year shall include five (5) certificated furlough days to be mutually determined by the parties on or before January 8, 2011. The furlough days shall be student contact days.~~
- 34.1.3. ~~To implement Sections 34.1.1 and 34.1.2, bargaining unit member work years will be reduced accordingly, if furloughs are in effect, to ensure that employees receive a complete year of service credit for 2010-2011 and 2011-2012. Additionally, before this agreement is ratified for the 2010-2011 contract year and on or before January 8, 2011, for the 2011-2012 contract year, the parties agree to cooperate to ensure that the annual reduction in instructional minutes complies with the requirements of the legislation authorizing the reduction — i.e. that the reduction in instructional minutes does not exceed the proportional reduction in the work year.~~
- 34.1.4. ~~For the 2012-2013 contract year the full one hundred and eighty four (184) day contract year in Section 8.1.1 shall be restored (or the contractual work year of a current bargaining unit position).~~
- 34.1.5. ~~The percentage of salary reduced shall be equal to .54% of each employee's salary for each furlough day that occurs for bargaining unit members working a one hundred and eighty four (184) day contract year. Bargaining unit members who work different contract years shall be reduced by a percentage representing a five (5) day reduction to their work year.~~
- 34.1.6. ~~If the District receives additional local, state, or federal revenue for fiscal years 2010-2011 and/or 2011-2012, resulting in net general fund revenue in excess of that which is expected and/or budgeted by February 24, 2010, then fifty percent (50%) of such revenue that is not specifically restricted by law from being used for certificated salaries shall be directed toward restoring furlough days until all furlough days are restored. Any portion of these revenues that are not ongoing will be used to restore furlough days only in the fiscal year the funds are received.~~
- 34.1.7. ~~Under no circumstances shall the current salary schedules and rates of pay be reduced further as a result of application of the language in Section 34.1.6, nor shall there be an increase to the number of furlough days in Sections 34.1.1 and 34.1.2 as a result of the application of the above language.~~

Section 34.2: RESTORATION OF FURLOUGH DAYS

- 34.2.1. ~~Effective July 1, 2010, for each .54% increase to the District's funded Base Revenue Limit per Average Daily Attendance (BRL/ADA) for 2010-2011 as compared to 2009-2010, a furlough day will be restored with the corresponding salary increase for the 2010-2011 year until all five (5) furlough days are restored. Increases to the BRL/ADA shall include all increases to the District's funded BRL/ADA including cost of living adjustments, deficit reduction, equalization aid, and/or any other permanent on-going increase to the District's funded BRL/ADA.~~
- 34.2.2. ~~If the increase to the funded BRL/ADA is not enough to restore a complete furlough day, or the percent increase to the BRL/ADA is greater than that necessary to restore all five (5) furlough days, then the remaining percentage increase shall be applied to the salary schedule by increasing each cell of the salary schedules by that percentage effective on July 1, 2010.~~
- 34.2.3. ~~For the purposes of this section, "funded" BRL/ADA is defined as the statutory BRL/ADA multiplied by the deficit factor.~~
- 34.2.4. ~~Example:~~

~~———— Current year funded BRL/ADA = \$5,300
———— Prior year funded BRL/ADA = \$5,200
———— Percent increase in BRL/ADA = 1.92%~~

~~————— (\$5,300 – \$5,200 / \$5,200 = 1.92%)~~

~~34.2.5. The restoration of furlough days in Sections 34.2.1, 34.2.2, 34.2.3, and 34.2.4 shall apply for the 2011-2012 contract year as well by advancing the comparison years in Sections 34.2.1 and 34.2.2 by one (1) year each.~~

~~34.2.6. Under no circumstances shall the current salary schedules and rates of pay be reduced further beyond the amount specified in Section 34.1.5 as a result of application of the above language in Sections 34.2.1, 34.2.2, 34.2.3, 34.2.4, and 34.1.2 as a result of the application of the above language in Sections 34.2.1, 34.2.2, 34.2.3, 34.2.4, and 34.2.5.~~

~~**Section 34.3: PROVISIONS FOR INDIVIDUALS WHO RETIRE WHEN FURLOUGH DAYS ARE IN EFFECT**~~

~~34.3.1. Unit members who retire during the 2010-2011 or 2011-2012 school years, and whose CalSTRS Defined Benefit Retirement is negatively impacted due to the furlough days, shall be given the option of working up to an additional five (5) paid workdays during the contract year in order to offset the impact of furlough days on their CalSTRS Defined Benefit Retirement. The payment of these five (5) additional days worked in 2010-2011 and/or 2011-2012 shall be made to the employees CalSTRS Defined Benefit Supplement account.~~