



SPALC BARGAINING MINUTES

SEPTEMBER 20, 2021

FY22 (2021-2022 school year)

AGENDA

- Check-In
- Norms
- Calendar
- Overview of the Interest-Based Process
- Snapshots
- Story
- Check-Out

Check-In:

Time constraints: 5:00

Missing: Shana Flecha

Elephants:

- There's a rumor going around the District that Bus Operators are going to receive a four (4) dollar per hour raise; flyers are being posted at Transportation Compounds and it's created a great deal of controversy; this won't be an obstacle tonight, but it needs to be addressed
- Employees in Transportation are spending more time doing assigned duties related to processing payroll like checking in on people to make sure they're reporting time accurately; morale is low and employees are concerned about Route Time Mileage (RTM) changes; this won't be an obstacle tonight, but it needs to be addressed
- The SPALC Bargaining Session for September 13, 2021 was cancelled at 3:08 p.m. when the meeting was scheduled to start at 4:30 p.m.; SPALC feels as though they were disrespected and that scheduling a Principal meeting that would take District bargaining team members away from the table was not in good faith; this won't be an obstacle tonight, but it needs to be addressed
- Support Staff feel completely demoralized; today we received word of the sixth death of a Support Staff employee from COVID-19; that's in addition to all of the loss that people have experienced in their families and in the



community; some people are scared to death to come into close contact with others; this won't be an obstacle tonight, but it needs to be addressed

Expectations:

- Make progress
- Get off to a great start
- Move forward
- Continue to learn the process

NORMS

- Cell phones on silence
- Respect for each other
- Limit sidebars
- Maintain confidentiality. Talk about issues not people.
- Respect and trust the process

CALENDAR

- Bargaining sessions are scheduled for every other Monday starting today; after today we will be meeting from 4:00 p.m. to 7:30 p.m.
- Let's revisit the discussion about calendar after the second meeting to see how many more sessions are needed

OVERVIEW OF INTEREST-BASED PROCESS *(see handout)*

- The interest-based bargaining process has worked for many years to preserve relationships between labor and management; more information can be found in the handout that's been provided

SNAPSHOTS

Article 6	
Working Conditions	
Headlines: <ul style="list-style-type: none">• Paraprofessionals are being asked to provide coverage for Fee-Based Programs like before/after-school during their regularly scheduled work day	Interests: <ul style="list-style-type: none">• Equity• Fairness• Accountability for the District• Respect• Morale



<ul style="list-style-type: none"> • Paraprofessionals are concerned about providing coverage and liability to themselves, since this falls outside of their job description • There are concerns about student discipline and enforcement of the Student Code of Conduct • Employees are being asked provide their own tools to perform their assigned duties • We need to discuss uniforms, who gets a shoe allowance, and how people get their work shoes • We need to discuss the addition of a CDL supplement for people who are not required to hold a CDL or who have endorsements, i.e. Mechanics and Maintenance employees 	<ul style="list-style-type: none"> • Pay Differential • Affordability • Manageability <p>Data: (none)</p>
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Article 8	
Performance Evaluation	
<p>Headlines:</p> <ul style="list-style-type: none"> • We're working to align the language in Article 8 between the SPALC Contract and TALC Contract • We need a way to differentiate between Highly Effective employees and others • We would like to adopt language that emphasizes the NEAT Process: Notice, Evidence, Assistance, and Time 	<p>Interests:</p> <ul style="list-style-type: none"> • Employee morale <p>Data:</p> <ul style="list-style-type: none"> • Samples of SPALC evaluation instruments



<ul style="list-style-type: none"> • Just about everyone receives an "Effective" evaluation, because of the evaluation instrument 	
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<p style="text-align: center;">Article 10</p>	
<p style="text-align: center;">Compensation</p>	
<p>Headlines:</p> <ul style="list-style-type: none"> • We need to discuss use of Elementary and Secondary School Economic Relief (ESSER) Act funding to add thirty (30) minutes to the regularly scheduled work day; this is being discussed in TALC bargaining to extend the instructional day for students • There's an issue with not all positions going to Market Rate; many Market Rate positions are not at the current Market Rate; this isn't just an issue in Transportation • We would like to align the Longevity supplement with TALC • We would like to discuss the creation of a Highest Degree supplement for SPALC • Everyone wants an increase in base pay, so that they can earn a living wage and they don't have to work multiple jobs • There may be other items related to the expenditure of ESSER funds 	<p>Interests:</p> <ul style="list-style-type: none"> • Retention and Recruitment • Morale • Student Achievement • Respect • Manageability • Affordability <hr/> <p>Data: (none)</p>



Article 11	
Benefits	
<p>Headlines:</p> <ul style="list-style-type: none"> • Interest in sharing information from Insurance Task Force about the impact of COVID on the health care plan • Wellness incentives • Number of payroll deduction slots for retirement accounts and the level of service provided to employees and manageability of numerous payroll deduction slots • ESSER funds • The overall financial health of the District’s insurance fund • Spouse and dependent coverage 	<p>Interests:</p> <ul style="list-style-type: none"> • Manageability and affordability • Recruitment, retention, and morale <p>Data: (none)</p>

Article 12	
Leave	
<p>Headlines:</p> <ul style="list-style-type: none"> • We started working on a rewrite last year • The SPALC Labor/Management Committee finalized a first draft, it needs to be reviewed by the bargaining teams • We want a clearer and more concise Article 12 • We need more self-service options for requesting Sick Leave and for allowing immediate supervisors to respond to requests 	<p>Interests:</p> <ul style="list-style-type: none"> • Fairness and Equity <p>Data: (none)</p>



TBD	
Professional development	
Headlines:	Interests: (none)
<ul style="list-style-type: none"> Interest in creating an article for professional development in the contract 	Data: (none)

Article 2	
Rights, Privileges and Responsibilities	
Headlines:	Interests:
<ul style="list-style-type: none"> Employees not receiving notice when a public records request is made that relates to their personal information We would like to have something in the Collective Bargaining Agreement (CBA) that deals with disclosure of employee contact information 	<ul style="list-style-type: none"> Respect Confidentiality Security of Personal Information
	Data: (none)

STORY – Article 6 (Working Conditions)

- Paraprofessionals are being asked to go into classrooms to supervise students before the end of their contracted hours end; this is after dismissal and these are students that are staying after for fee-based programs
- Employees that work fee-based programs are paid a different rate out of a different budget; in some cases, students are dismissed from their class early
- Paraprofessionals do not always meet the qualifications for working in fee-based programs; they have to be cleared by the Florida Department of Children and Families (DCF) and are required to have First-Aid/CPR/AED certification
- Employees are concerned about the liability and don't know if they'll be protected by the District if something happens to a student during this transition time between school and fee-based programs
- DCF and the District have stricter guidelines in place now and not everyone is aware of the increased responsibility that comes with working in fee-based programs



- It's unclear how many schools this is happening at, but we need more information about that and some idea about what specific schools it's happening at so that we can look at how these schools are handling dismissal and when employees contract hours end
- Part of the issue is that some principals are sending students to fee-based after school programs before the end of the school day
- Paraprofessionals are being asked to perform assigned duties that are not included in the essential functions of their job descriptions
- Paraprofessionals feel as though they are being "dumped" into fee-based programs where they don't understand the rules and have not been trained to respond to situations that might arise
- Paraprofessionals are being asked to stay thirty or forty minutes past their contracted time
- Some schools send all paraprofessionals to work in fee-based programs on early dismissal days; many paraprofessionals want to do professional development at school, while they're still on the clock, instead of working in fee-based programs
- This mistreatment of paraprofessionals has been going on for a long time; many people mistakenly think it's okay, since they're still on the clock
- People don't want their pay being mixed; if they're working their regular job, then they should receive their regular pay, but if they're working a fee-based program, then they should receive their pay for that work
- Employees are told that they won't get their regular rate of pay for working in fee-based programs, they're often paid at a lower rate
- Parents pay for their children to attend fee-based programs and the revenue from those programs pays employees for their services, which is why there's a different rate of pay
- For the situation described, this is why there are two different job descriptions: one for paraprofessionals and one for fee-based programs
- Service in fee-based programs is voluntary and employee have to apply for these positions
- Employees are incurring additional cost associated with getting a DCF background check and First-Aid/CPR/AED certification
- Are employees paying for this or is this something that schools are paying for? It varies from school to school
- Schools are charging parents a per student fee and the revenue that's generated should be supporting the fee-based program; it should be enough to cover all expenses, including DCF background checks and First-Aid/CPR/AED certification



- We are discussing concerns related to both a SPALC bargaining unit position and a fee-based program position that's part of Salary Schedule N; we don't have the ability to change Salary Schedule N as part of SPALC bargaining

OPTION

- We need to send notice to principals to let them know that they need to stop sending students to fee-based before the end of the school day
- Principals may need to discuss the work schedule for employee and there may be some restructuring of the work day in order to be compliant
- We need to add some sort of hold harmless language to the contract to protect employee who are providing supervision during the transition between afternoon dismissal and fee-based programs starting
- We need to do a survey of employees working at schools with fee-based programs
- It's best to keep paraprofessional duties and fee-based programs duties separate
- There needs to be a definitive time that the school day ends and the fee-based program begins; liability for employees may exist regardless of their qualifications or lack there of
- We need clear guidelines for establishing fee-based programs start and end times
- The cost of fingerprinting for DCF background checks and First-Aid/CPR/AED certification needs to be covered by the District
- After doing some quick research on what constitutes a reasonable time for supervision of students, there is a statutory language around what the State of Florida considers reasonable: it's thirty (30) minutes before or after school; the District is responsible for providing students with supervision for thirty minutes before and after the start of the school day; see Florida Statute 1003.31
- Potential SPALC Labor/Management Committee issues can be addressed at the next SPALC Labor/Management Committee meeting, which is scheduled for October 6, 2021

Story – Article 6 (Working Conditions) *(continued)*

- We also need to discuss concerns that there's a lack of student discipline
- There has been an uptick in negative behaviors on the buses and in classrooms
- There are buses where students are hateful and threatening to Bus Operators; in some cases, parents engage in similar threatening behavior



- Students have thrown shoes at Bus Operators, they get out of their seats and run up and down the aisles; it's not safe
- If Bus Operators take students back to schools, the schools won't take them off the bus; there are Bus Operators that are considering resigning due to student discipline concerns
- From a Security Specialist point of view, we're experiencing the same type of outbursts; students are threatening staff, spitting and cursing at the, and end up with a one-day suspension and then they're right back at school; in some cases, its worse than that because there's no disciplinary action taken
- There was a student that showed up at an employee's second job just to confront them and let them know that they might have been written a disciplinary referral, but nothing happened to them; this is a potentially dangerous situation
- This type of behavior used to happen maybe once or twice a year and now it's happening on a daily basis
- There was just a Tik-Tok challenge going around that encouraged student vandalism; District technology and school property was damaged or destroyed and the response from the District has been inconsistent from school to school
- Paraprofessionals have reported being spit on or scratched by employees and students are disciplined differently when the paraprofessionals are being targeted verses when teachers are being targeted
- The District and all involved have a shared interest in schools being safe students and employees; the Student Code of Conduct is approved by the School Board and there's language in place to address this type of behavior regardless who is involved or what school it's occurring at; there are multiple avenues available for addressing student misconduct
- There was recently a situation where Safety & Security was notified by the parents of a student that they should keep an eye out for a student who may have a gun in their backpack; there was no communication with front office staff at the school and no one was informed that they shouldn't let the student onto campus
- SPALC was not invited to the attend the meetings where the Student Code of Conduct was discussed; there's language in the TALC Contract that says that they will be, but nothing in the SPALC Contract
- People are resigning because they're tired of being threatened by students
- Our job to make sure everyone is safe, can we put things in place to do more to ensure safety? Yes



- We need to be sure that SPALC is invited to next meeting to discuss the Student Code of Conduct
- District bargaining team members shadowed SPALC employees, as we agreed to as part of bargaining last year; team members served food, rode buses, and worked alongside Security Specialists
- It was eye opening and humbling to see how early the day starts for Bus Operators and Bus Attendants; we have a new level of respect for these employees after walking a mile in their shoes
- We need to discuss employees working at Special Centers and the differences in working conditions at Special Centers; currently these employees receive, but are not required to attend, specialized training focused on de-escalation of student behaviors or restorative justice practices; other employee groups would benefit from similar trainings
- We used to have quarterly meeting at each Transportation Zone and one topic of conversation was student discipline; Bus Operators complained as much about student behavior as they did not being communicated with regarding how school-based administrators responded to that behavior
- These meetings gave administration in Transportation the opportunity to work with schools to get ahead of issues instead of responding to them afterwards
- There are communication challenges between Transportation and schools, because referrals are submitted immediately or responded to immediately; sometimes Bus Operators have to wait until between runs to write referrals and schools have to wait until the afternoon or the next morning to follow up with Bus Operators
- The problems seem to be persistent and the same few schools

OPTION

- We need to add language to the SPALC Contract about SPALC being part of the discussion around the Student Code of Conduct
- Input from SPALC before finalizing the Student Code of Conduct is important
- There's not a standing committee to review the Student Code of Conduct; actually there is a standing committee
- We need to solicit feedback from Bus Operators and Bus Attendants
- There is language in Article 6 about the process for submitting student referrals
- Let's look at best practices from other schools to help address some of these challenges regarding communication and student discipline
- We need to following the process and use the language that's in place already



- We should look at the TALC Contract and use the exact same language for the Student Code of Conduct

CHECK-OUT

- We would like to have minutes from bargaining sessions no later than the Thursday before next meeting; we work on that, but we're still short staffed in Human Resources