



*THE SCHOOL DISTRICT OF LEE COUNTY and
THE TEACHERS ASSOCIATION OF LEE COUNTY*

SPALC Bargaining Committee
Monday, October 8, 2018
Agenda

Items

1. Check-In
2. Minutes
3. Article 5
4. Article 7
5. Check-Out

Mission: To ensure that each student achieves his/her highest personal potential

Vision: To be a world-class school system

SPALC Bargaining Committee
FY19 (2018-2019 School Year)



THE SCHOOL DISTRICT OF LEE COUNTY and THE SUPPORT PERSONNEL ASSOCIATION OF LEE COUNTY

SPALC Contract Negotiations FY19 (2018-2019 school year)

October 8, 2018

Agenda:

- Check-In
- Minutes
- Article 5
- Article 7
- Check-Out

Check-In

Time Constraints: 6:00 PM

Missing: Robin Walker, Penny Bennett, Vivian Hawkins, Kim Hutchins, Shannon Smith, Jimmy Flock, ~~Jimmy Riley~~

Elephants: None

Expectations: Make progress*****

Minutes: 9/24/18 Minutes Approved

Story - Article 5.05 (Assignment of Duties) (continued)

- Employees are being asked to perform duties outside of their job description
- For example, a bookkeeper being asked to cover the front office because someone else is out sick and their backup refused to provide coverage, or a bookkeeper being asked to cover the clinic, the In-School Suspension (ISS) room, or a bookkeeper being asked to provide classroom coverage for a paraprofessional or teacher in an emergency situation
- These requests to provide coverage are often a result of being short-staffed and many times the essential functions of the bookkeeper job description aren't being done until early afternoon, causing the bookkeeper to stay past their regularly schedule work hours to get their regularly assigned duties done
- The SPALC Labor/Management Committee recently talked about Bookkeepers and Information Specialists, since these are two groups that seem to have had this concern most often over the past year or two
- It may have been stated in the last bargaining session, but it's worth repeating that the District has identified what we're calling the "Top 25" job descriptions; these are the

twenty-five (25) job descriptions that cover roughly ninety percent (90%) of all employees district-wide; many of the “Top 25” have not been updated in several years

- We’re confident that as part of our five year job study plan we’ve gotten to all of the job descriptions that had not been updated since the 1970s, but there are still some job descriptions that have not been updated since the 1990s
- There is a large job study that will be put before the Board soon that includes putting all existing job descriptions into the new template, which provides more clear information about physical requirements, which should help with compliance for Worker’s Compensation
- There will likely be a lot of conversations about the job descriptions and whether the essential job functions are still an accurate representation of what people are being asked to do or the minimum requirements for certain positions
- When looking at the Economic Resource Institute (ERI) data as part of bargaining in FY18 (2017-2018 school year), we noticed that what it means to be a Bookkeeper or Information Specialists in a school setting, does not always line up with what ERI says a Bookkeeper does, so we may need to identify where there are “hybrid” positions
- For example, our Bookkeepers might function as an Accounts Receivables Clerk part of the time, so we would want to make sure that we capture that when we begin updating the essential functions portion of the job descriptions
- Recent audit reports suggest that when you take a look at the essential functions or assigned duties of a Bookkeeper in the District there is not a consistent expectation at every school; the District is looking at different ways to update the essential functions and assigned duties, because a Bookkeeper at Cape Coral High might not be handling the same things as a Bookkeeper at Fort Myers Beach Elementary
- SPALC is concerned that principals hire individuals with higher credentials than are required for the position and that changes their expectation about the role of the position
- For example, an Emergency Medical Technician (EMT) was hired for a Clinic Assistant position, is being paid as a Clinic Assistant, and is working under the Clinic Assistant job description, however the principal and school nurse have different expectations for this person based on their EMT credentials
- SPALC is ultimately interested in better job description, not more grievances; support staff need and want to know their boundaries
- When an employee is consistently asked to perform duties outside those related to the position they were hired for, it becomes an issue; it is expected that during an emergency that people provide coverage or help out, but this goes beyond helping out in a time of need
- Bookkeepers deal with all the financial matters of the school, so when a bookkeeper is pulled away from their regularly assigned duties it can create a problem in terms of accountability
- If money stops coming in, because there’s no one there to receive the monies collected forms, and a Bookkeeper must put down the work they’re doing to help out, then pick it back up where they left off at a later time, this may lead to the Bookkeeper making mistakes
- Bookkeeper mistakes may lead to audit findings; no bookkeeper wants to have audit findings

- To provide some perspective, the job description for School Secretary was last revised in 1997, Bus Operator was last revised in 1996, Bookkeeper was last revised in 1996; these job descriptions need to be updated and it starts with putting them into the new job description template
- Are job descriptions readily available for principals to look at when they're hiring or when they're assigning duties?
- Yes, all job descriptions are on the District website and as a result of the upgrades to the website, you can now keyword search for a job description by its title or what salary schedule it's on
- Will principals be asked to assign duties based on the job descriptions once they're in the new template? Will there be a greater level of accountability than there is currently?
- The District expectation is that principals are accountable for assigning duties based on the job descriptions in place currently
- The District is committed to addressing issues if this is not happening
- At a recent principal's meeting, the Assistant Principal job descriptions were handed out and principals were reminded of the importance of knowing what is in the job description and how to appropriately interpret language in the job description
- When principals are having quarterly meetings with support staff, they could use some of this time to handout job descriptions and begin to go over the job description as they discuss their expectations
- For example, it's not clear what the expectations are for a Paraprofessional who is providing student supervision in the cafeteria
- The instrument used for SPALC performance evaluations is also overdue for an update
- When a performance evaluation takes place it should be based on the essential functions of the job as listed in the job description; this is a better way to conduct a performance evaluation and may help highlight the amount of time an employee is being asked to perform duties outside of the essential functions of their position
- It is important that all employees know what is on their job description as well, it's not just a concern for school administration
- SPALC's concern is not when a principal says they need help, it's when a request for help becomes an everyday occurrence
- Improving the awareness of principals is important; they may not know that this situation has come up more often recently
- Conversations are being had at the principal's meetings about being cognizant of what's in the job descriptions and the importance of not deviating from the job description, unless an employee is a designated back-up to a position such as Clinic Assistant
- There are always unique situations where you need someone to fill in, but providing constant coverage for people working under other job descriptions should not be the norm
- This is happening on a regular basis and employees are afraid to say "no"
- They are also afraid that at evaluation time they will no longer have a job or will receive negative ratings, because they could not get their regular job done due to being assigned duties outside their job description

- These types of situations need to be brought to the attention of Human Resources; if a Network Support Specialist is in the cafeteria supervising students for more than 30 minutes that is an issue
- Conversations have to be had, even though people are shy, SPALC needs to encourage them to come forward
- A few of these types of situations have already been resolved by the SPALC Labor/Management Committee; most principals are willing to make the necessary adjustments
- Sometimes it's just a matter of providing some clarity to employees
- For example, helping an Information Specialist to understand that customer service is a part of his or her responsibilities and they may be asked to briefly fill in for the Receptionist when the Receptionist is not there
- There may be a communication gap too, because in some schools the Information Specialist used to be a four (4) hour position. Principals may be thinking that the Information Specialist is also supposed to spend four (4) hours as a Receptionist
- Is employee absenteeism a part of the underlying concern? Yes, it's part of the problem
- If an employee is out on a regular basis, and others are being asked to cover for that employee, this is part of the issue
- We are not sure if absenteeism can be solved with contract language, but we can continue to discuss root causes of these types of problems
- Transportation understands more than most that absenteeism and inconsistent disciplinary action creates issues when it comes to coverage
- There are Bus Operators in the East Zone that call out sick on a Friday payday, leaving others, who have completed their afternoon run, to cover for them; this leads to our dedicated Bus Operators, who never miss a day of work or call out last minute, having to show up late to pick up middle school students who have been waiting on the bus ramp with a Security Specialist who is also waiting to end their workday
- It's not always low performing employees that cause the problem, sometimes it's people who are asked to pick up extra works, and they just need a break from being the "go to"
- We need to do more to educate employees about what is and is not in their job descriptions, so they are comfortable setting boundaries
- For example, paraprofessionals aren't aware that they are responsible for the supervision of students, which can include supervision in the cafeteria; if people knew it was part of their duties they wouldn't have as many issues, but if you have two (2), three (3), or (4) extra duties and they're not related to your essential job functions, then maybe it's time to have a conversation with your administrator or to ask SPALC for help
- Attendance can be an issue and at one school we have had fourteen (14) support staff members that have missed more than four (4) days during the first quarter; administrators are having coaching conversations with these employees

CAUCUS

SPALC Report Out: SPALC feels the issue has been captured well in the minutes. We will encourage SPALC members to write down their issues, share them with SPALC, and we will deal with them on a case-by-case basis in the SPALC Labor/Management Committee meetings or by using the grievance process. We discussed sending out a survey to administrators and SPALC employees to better capture the concern, to have the information available for when we

discuss job descriptions. We would also like to ask that the District speak with administrators about these concerns so they're aware that it is an issue that impacts support staff.

District: No Caucus

Option:

1. SPALC will draft a survey for SPALC employees and administration. SPALC will bring the survey to the SPALC Labor/Management Committee for discussion and final approval.

Story – Article 5.05 (Assignment of Duties)

- SPALC would like to include administrators in the survey to make them more aware of how many hours are being spent providing coverage; or, how often support staff are being asked to perform duties other than their regularly assigned duties

Story - Article 5.09 (Discipline)

- The District would like to move Article 5.09 (Discipline) to Article 9 and title it “Disciplinary Procedures”
- This language was moved to Article 9 in the TALC Contract last year. This will help align the two contracts making contract navigation for administration and employees easier
- Article nine (9) is also a more natural place for this language to be, since it's right after Article eight (8) (Performance Evaluation)
- This is more about housekeeping and will help improve readability for both the administrator and employee; no changes will be made to the language, other than renumbering and fixing headings, if necessary

Option

1. Move Article 5.09 to Article 9

Story – Article 5 (General Employment Practices) – Veteran's Preference

- There have been recent changes to Florida Statutes that address Veteran's Preference
- Currently there is no language in the SPALC Contract about Veteran's Preference, which doesn't change the fact that the District must still follow the law when it comes to Veteran's Preference
- The District would like to add a reference to Veteran's Preference laws to highlight the fact that we are obligated to comply with the law. This will be similar to the language on Worker's Compensation, the Family Medical Leave Act (FMLA), or the Americans with Disabilities Act (ADA)
- Most veterans are aware of the protections that they are afforded, so this would really just be an acknowledgment that these protections exist and would be a memorialization of our commitment to our country's veterans

Option

1. Add to the contract that the District will comply with the laws regarding Veteran's Preference

Story - Article 7.06 (Vacation)

- SPALC is concerned that employees are submitting requests to use vacation time after the time frame to submit that is laid out in the contract: January 1 to March 10 is the contract time frame
- These late requests are mainly due to people waiting on their tax returns to see if they will have the money to take a vacation
- When an employee discovers they can afford to take a vacation, the request is often denied, because the principal believes that it will cause a disruption
- The contract states that the supervisor or their designee will enter the request, and approval or denial into PeopleSoft; that's supposed to be happening, correct? Yes
- Recently, we had an employee contact us who put in for leave in July or August and did not receive a response until October; by the time the employee received a response to their request the vacation date had passed
- The employee assumed that because they hadn't received a denial, the request was approved; the employee was written up for missing work
- SPALC would like all leave and vacation requests entered into PeopleSoft, so that there is a time and date stamp; we would also like employee's be able to see the official reasons for the denial
- There are employees who have not been honest about why they need personal leave and this harms employees who work with management to make sure that personal leave is used appropriately; personal leave requests should be granted whenever possible for once in a lifetime events like weddings and funerals
- Management will typically work with employees to approve personal leave requests and may ask for some sort of proof that the personal leave is appropriate
- Requests for proof that a personal leave request is appropriate sometimes leads to people not requesting personal leave
- SPALC employees need to be honest, but they also need to be able to use vacation time or take personal leave
- A quick glance at the data provided by Payroll, shows that there are roughly one-hundred and one (101) SPALC employees who have accrued three-hundred and sixty (360) hours of vacation time, which is the maximum amount that an employee can accrue
- In looking at the "denied" column, we think that some interpretation is required
- Payroll is not here tonight, so we cannot say for certain, but it looks like worst-case scenario is that less than twenty (20) requests to use vacation time have been denied in the past year; we are not able to tell if some of these are duplicate requests
- Is this the information that is being entered into PeopleSoft?
- Yes, we have no way to know how many denials have occurred as a result of requests submitted on paper or in person
- The number of denied requests entered into PeopleSoft may be low, because the change in contract language did not take place until February of last year and vacation or leave

requests are more likely to be denied in the spring due to testing, and end of the school year

- Would it be helpful if there were calendars set up where employees could just mark on the calendar when they want to use personal leave or vacation time
- As it relates to vacation time, this mainly affects custodial staff
- There is no standard way to plan for use of vacation time or personal leave requests; one location uses a Google Calendar and there are certain “blackout dates” for when administration feels that vacation or personal leave would cause a disruption

Option

- ~~1. If an employee is able to enter a personal leave or vacation request into PeopleSoft, they should be encouraged to do so themselves, so they know to look for a reason for a denial, if the request is denied. If an employee is not able to enter a personal leave or vacation request in PeopleSoft, then they should be able to seek assistance from the principal's secretary.~~

Story – Article 7.06 (Vacation) (continued)

- In SPALC Labor/Management Committee meetings, there have been some conversations about the process for requesting leave or vacation
- Some locations still use a paper request system, because there is still confusion about how to enter a request into PeopleSoft
- On the screen you can see the PeopleSoft page and how confusing the options are; PeopleSoft is not user friendly
- There is also confusion when people look at their paychecks because they don't understand that their personal leave time is part of their sick leave balance
- From an administrator's perspective, there is a concern that PeopleSoft provides no notification about a leave request being submitted; administrators would like to be notified when a request is submitted
- We have been told that a notification feature exists. It is turned off; because when we went to PeopleSoft employees were upset that they were getting emailed constantly; there are ways that you can set up rules for your inbox that will filter these requests, your Technology Specialist should be able to assist in setting up these inbox rules, if that's a concern
- Has anyone on the SPALC side of the table put in their own request for vacation time through using PeopleSoft? No
- The number of options in PeopleSoft is confusing
- Even those of us that work at a desk and computer all day are confused by the PeopleSoft options and if you're not putting in requests regularly, it makes sense why a principal would require you to submit a request via email or paper so that their secretary can enter the request into PeopleSoft
- Even when this sort of communication takes place it can still be confusing; wrong dates are sometimes entered in PeopleSoft when requests are made via email
- All of the confusion is why most schools still use a paper process for leave requests and the secretary enters the information into PeopleSoft

- Before jumping to employees entering their own request into PeopleSoft can there be some sort of training, maybe a video or a job aide, to assist employees in understanding how to use self-service options
- Can we make it a requirement that each school create a Google Calendar for leave and vacation? Employees could enter their request on the Google Calendar, then send administration an email request approval
- Can the number of options in PeopleSoft be pared down to just a few?
- Yes, the number of options in PeopleSoft can be pared down and automatic notification can be sent to administration. The reason there are no automatic notifications is that there were requests to turn it off. Request emails were getting lost and principals preferred requests be made in person
- Option one (1) withdrawn due to the PeopleSoft page updates

Option

2. If an employee's request for vacation is denied and they are no longer going to be able to accrue vacation time, they can buy-out five (5) to ten (10) days of vacation

Story – Article 7.06 (Vacation) (continued)

- Due to our current financial situation, the District cannot agree to a buy-out without being able to research the potential fiscal impact
- In FY18 (2017-2018 school year), when we discussed vacation and leave, the conversation centered around employees who were not seeing an approval or denial in a reasonable amount of time; we agreed that it's the responsibility of the employee to inquire as to the status of the leave request
- It has been seven (7) months since this agreement was reached; can SPALC provide an update on how the new language is working out?
- There are only two (2) schools where there have been concerns and with one of those we had some issues with an employee not being completely honest
- The District is committed to addressing schools where the appropriate process is not being followed; we commit to continuing our effort to communicate the expectation that approval and denial of requests need to be entered into PeopleSoft

Option

3. "Status quo" on language
4. Invite Innovation Services team members to the next SPALC Labor/Management Committee meeting to begin working on how to make self-service leave requests using PeopleSoft more manageable
5. Create a second window for requests to use vacation time
6. If an employee is going to hit the 360 hour mark for vacation time and has put in a request for vacation that was denied, they can submit a vacation request for another time and it will automatically be approved
7. Develop a training for pre-school week so employees can learn how to view their accrued time using PeopleSoft

Straw Design – CONSENSUS

- A. 3 & 4

B. 3, 4 & 7

Story – Article 7.06 (Vacation) (continued)

- In FY18 (2017-2018 school year), we discussed 12-month employees requesting vacation during the January 1 to March 10 window that's in the contract; would it be possible to have a second window for those employees who did not know about family plans for the holidays or summer vacation and found out last minute
- Why is the window to request vacation time the way it is? Is it because it was developed at a time when paper leave requests had to be submitted to the District
- The January 1 to March 10 window is there to give priority to requests based on seniority
- Administrators may not be comfortable with approving request for vacation or personal leave eleven (11) months out; you never know what's going to happen, someone may go out on a Worker's Compensation injury or there might be someone who has to take an extended leave due to an illness of themselves for immediate family member
- It is not clear how you can manage both a three (3) month window where priority is given based on seniority and a nine (9) month window where priority is given on a first-come, first-served basis; how is seniority being honored if the majority of the year priority is given on a first-come, first-served basis
- SPALC encourages members to send a follow-up email any time they make a request for use of vacation time or personal leave; this email is helpful for documentation purposes
- There have been situations where denials occur, because the request is for the busiest times of the year for the employee's department or school; for example, the week before winter break or the last week of school
- If we adopted Option six (6) that may mean that a Bus Operator would not have to show up to training during the pre-school week, which the District cannot agree to
- Is there a way in PeopleSoft to notify an employee that they are close to the three-hundred and sixty (360) hour mark for vacation accruals?
- Yes, but employees don't always keep up with their email
- Most of the leave issue involves people who are at a "use it or lose it" stage and they sometimes take vacation time just because they can, not because they want to miss work
- Some departments have employees that manage this well and take turns missing work, so that there's no adverse impact to the work of the department, but not every location is like that
- We don't want to find ourselves in a position where we're trying to figure out ways to make it easier for people to not show up to work; we need everyone here every day
- Vacation time is not an issue in Maintenance; it seems like this is only an issue for four (4) schools; the process for requesting to use vacation time needs to be left the way it is and we need to move on to other issues
- It may not be known a year out that a family gathering is being planned, but in most cases large family gatherings require planning and there should be plenty of notice given for an employee to ask to use vacation time or to take personal leave
- Principals should honor the requests of loyal employees and approve these requests

CAUCUS

SPALC Report Out: Option seven (7) was discussed and SPALC would like to include administrators in the pre-school week training; it's important that everyone is able to show employees how to check their leave balance so they know how much time they've accrued

District: No Caucus

Story – Article 7.06 (Vacation) (continued)

- Does training mean person-to-person, a video, or a job aid? It's not clear what is being requested
- SPALC is not sure if administrators know how to check for leave requests that are waiting for a response; we want to be sure they know to either give approval or deny requests that are entered into PeopleSoft
- There are ways to track the number of hours an employee has taken and what their leave and vacation balances are
- When the District sends out emails from Insurance and Benefits called "Benefit Connections", there are always eighty (80) to eighty-five (85) emails that are returned, because employee inboxes are full as a result of not checking their District email
- Technology is key in getting information out; if people are not receiving the information because they are not reading their email, then there is an email issue
- Employees need to have better access to computers so they can check their email; the PeopleSoft process of receiving approval or denial of requests via email may assist us in convincing people that they need to check their email and manage their inbox
- At a recent meeting with Payroll, we discussed sending out information to administrators on how they can run reports of leave and vacation requests, and vacation or leave balances
- Payroll has been going out to Transportation compounds twice a month to make sure people understand their leave balance; maybe Payroll could visit individual schools too
- Transportation is being very proactive about absenteeism and is trying to give people ample notice that they're at risk of running out of leave, rather than just writing them up
- SPALC is requesting a hands-on, one-on-one session for people who are interested in knowing more about how leave works
- Technology is the key and employees need to learn how to use and be held accountable for using technology to receive information from the District; we no longer live in a paper world, communication is now done electronically

Check-out



***THE SCHOOL DISTRICT OF LEE COUNTY and
THE TEACHER'S ASSOCIATION OF LEE COUNTY***

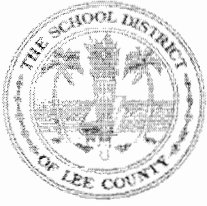
**SPALC Bargaining Committee
October 8, 2018
Sign-In**

COMMITTEE MEMBERS		
Name	Position	Initials
Dr. Angela Pruitt, Chair	Chief Human Resources Officer	AP
William Rothenberg	Director, Compensation & Labor Relations	WR
Greg Blurton	Business & Finance	GB
Robert Codie	Exec. Director, Operations Services	RC
Jimmy Flock	Director, Maintenance	JF
Mike Gatewood	Coordinator, Compensation & Labor	MG
Kim Hutchins	Director, Payroll	ah
Jason Kurtz	School Admin. (High)	JK
Ruthie Lohmeyer	School Admin. (Center)	RL
Bonnie McFarland	Insurance & Benefits	Bm
Shannon Smith	Staffing & Talent Management	ah
Brian Williams	Staff Attorney	BW
Elizabeth Peterson	Director, Island Coast FEA	EP
Jamie Michael	President, SPALC	jm
Antoinette Abrams	Bookkeeper (Royal Palm)	AA
Kenny Benjamin	Transportation (driver)	KB
Penny Bennett	Printing Services	PB
Raphael Cruz	Head Custodian (Tropic Isles)	RC
Amanda Evans	Transportation (driver)	AE
Vivian Hawkins	ESE Helping Teacher (Royal Palm)	VH
Kenn Nees	Technical Support Specialist (Varsity Lakes Middle)	KN
Jimmy Riley	Maintenance	JR
Sandy Sloan	Paraprofessional (The Alva School)	SS
Robin Walker	Asst. Food Service Manager (Diplomat Elem)	RW

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Vision: To be a world-class school system

SPALC Bargaining Committee
FY19 (2018-2019 School Year)



***THE SCHOOL DISTRICT OF LEE COUNTY and
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GUESTS		October 8, 2018
Name	Position	Initials

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