



# OEA Bargaining Update

Quality Schools = Better Lives

Bargaining Update #23

November 28, 2018

## Mediation Winding Down! Stay tuned for Mediator Decision to Release to Fact-Finding

### Highlights of Mediation Session #6 (November 6, 2018)

After our OEA team expanded on paths to reaching tentative agreements on three relatively minor articles, the District Team provided a Budget Update focusing on new areas of expenditure concern that had been shared with the Fiscal Vitality Committee as the District approaches First Interim Status Report on December 15th. Our OEA team reintroduced the concept of transforming annual District expenditures by adding 1% yearly to Bargaining Unit Salaries starting in '19 - '20, incrementally moving us from the current lowest expenditure of 32% toward the 39% average of large urban districts statewide. (In essence we are currently underpaid by nearly 20%!) District countered by suggesting we aim for the combined Salary and Benefits package of three large Northern California Districts. The District Team offered an improved 4 year compensation package "supposal" ('17-'18 school year outside the maximum three year agreement for '18-'19, '19-'20, and '20-'21) Our OEA team agreed to share this dialogue with our Executive Board at their meeting of November 7th, and inform the Mediators as to whether the OEA Bargaining Team was authorized to adjust their position on Compensation.

[After considerable discussion the Executive Board on November 7th, unanimously approved the following resolution: "The OEA Executive Board believes that Mediation has run its course and the possibility of settlement would be better served outside of the Mediation process and no further movement is authorized."]

### Highlights of Mediation Session #7 (November 28, 2018)

Although our OEA Bargaining Team fully expected to be released to fact-finding by the Mediators, the scheduled session of November 28th, convened as planned. The District presented a new package proposal for a 3 year agreement ('17-'18, '18-'19, '19-'20) which has

been incorporated in the side-by-side comparison below. Because this is a proposal, and not a supposal that has no binding labor law implications, this now represents their “Last Best Offer” as we prepare for Fact-Finding. This is the offer that they could choose to impose after release of the Fact-Finding report. Significantly, they have moved from a net reduction in Compensation of 1% (due to added work) to a 5% salary increase by the end of the 3 year agreement. There are minimal classsize/caseload adjustments, offset by higher SDC class sizes. The time-consuming Teacher Growth and Development System (TGDS) for Evaluation remains without requisite safeguards and meaningful resources for effective coaching. Other contract changes of greatest concern in their “Last Best Offer” include striking the start and end time for the school day of 8am and 345pm respectively, daily elementary prep movable to the end of the day, secondary conference periods truncated in schools with block scheduling, and removal of the extra half day for Teacher Planning at the beginning of the year. These issues, as well as the insufficient District movement on big ticket items, caused our OEA Bargaining Team to reject their packaged proposal and retain our prior position.



## End the Teacher Retention Crisis in Oakland



### Side by side comparison of latest proposals.

Article	OEA	OUSD
<b>Article 10: Hours of Work</b>	Fewer Extra Duty Hours  Designate a monthly Minimum Day for extra duty/prep work  \$50 hourly rate  3 staffed preps, 4 staffed preps for combo teachers	\$35 hourly rate  Remove 8am to 3:45pm school day parameter  A daily 30 minute prep for elementary teachers either at the beginning or end of the work day

<p style="writing-mode: vertical-rl; transform: rotate(180deg);"><b>Article 15: Class Size</b></p>	<p>Phase in class size reductions over two years of one student per year</p> <p>Double class size reductions at schools with 80% or higher unduplicated pupil percentage (per LCFF)</p> <p>Greater combo class supports Maintain SDC class sizes as hard caps</p> <p>SDC inclusion students count as two students in general ed. classes</p>	<p>Increase SDC class size to 15 (from 13) for mild/moderate</p> <p>Increase SDC class size to 12 (from 10) for moderate/severe</p> <p>Reduce PE class size to 50 (from 52)</p> <p>Lowering Fine Arts class size to 29 to match Crafts</p> <p>Reduce 4th/5th grade classes by 1 student in elementary schools with 97% or more unduplicated pupil percentage</p>										
<p style="writing-mode: vertical-rl; transform: rotate(180deg);"><b>Article 21: Specialized Caseloads</b></p>	<p>Caseload reductions for all counselors, nurses, psychologists, speech therapists, and resource specialists*</p> <table border="1" data-bbox="337 823 857 1150"> <tr> <td>counselors</td> <td>1:250</td> </tr> <tr> <td>nurses</td> <td>1:750</td> </tr> <tr> <td>psychs</td> <td>1:700</td> </tr> <tr> <td>speech therapists</td> <td>1:40</td> </tr> <tr> <td>RS</td> <td>1:24</td> </tr> </table> <p><b>*Note the table above reflects the contract language proposed in OEA P-41. Previous side-by-side erroneously listed the P-49 package language which was not accepted, We have elected to return to P-41.</b></p> <p>Definition of Inclusion Specialist position.</p> <p>Defined supports for Newcomer programs</p>	counselors	1:250	nurses	1:750	psychs	1:700	speech therapists	1:40	RS	1:24	<p>Effective July 1, 2019, reduce caseloads for counselors to 700:1/650:1 to 650:1/600:1</p> <p>Nothing for Newcomers.</p>
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nurses	1:750											
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speech therapists	1:40											
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Article 24: Compensation	**			
	2017-2018	3%	2017-2018	1% on salary schedule effective June 30th 2018
	2018-2019	4% (1% from G1)	2018-2019	1% on salary schedule effective July 1, 2018
	2019-2020	5%	2019-2020	1.5% salary on schedule effective Jan. 1, 2020  1.5% salary on schedule effective June 30th, 2020
	<b>Substitutes</b> Current three tiered substitute pay tied to salary schedule starting at \$187 daily (75% of Column 1, Step 1), 85%, 100%		<b>TOTAL \$ FOR 2017-2020</b>	5% (Inclusive of G1)
		<b>Substitutes</b> Substitute pay lowered in packaging from \$187 to \$150 daily rate.		

## What are our next steps?

Talk to your site reps

Let them know how you feel OEA should move forward

[OEA Impasse FAQ](#)

**STEPS AT IMPASSE AND BEYOND (with the caveat that negotiations can continue and a tentative agreement between Union and District could be reached at any point in this process):**

- **Impasse Declaration:** Upon receipt by Public Employment Relations Board (PERB), a mediator must be appointed.
- **PERB Mediation:** Mediator meets with both parties, and if unable to mediate an agreement, can release parties to fact-finding.
- **Fact-Finding Appointment:** Three-person panel, one selected by Union, one by District, and one neutral, either mutually-agreed, or selected by PERB
- **Fact-Finding Hearing:** Meetings with both parties, inquiries or investigations, hearings, and/or other steps as appropriate.
- **Fact-Finding Decision:** Recommended settlement terms are advisory only.
- **Fact-Finding Report:** Privately to both parties to provide opportunity for corrections, and then publicly.
- **Post Fact-Finding Public Report:** Union is strike legal; District can impose its “last, best, and final offer.”

**YOUR OEA BARGAINING TEAM:**

*Dennis Nelson, Chair, Home Instruction, PEC      Katherine Gibson, TK, Greenleaf TK-8  
 Lusa Lai, Second Grade, Lincoln                      Patricia Segura, Newcomer TSA, Fremont High  
 Mark Fisher, Second Grade, Fruitvale              Doug Appel, CTA Staff, Emeritus  
 Keith D. Brown, ex officio member, OEA President*