

Fiction vs. Fact

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District Claim #2: *"on March 4 we provided SOMEA with a detailed list of classroom assignments that used only rooms on the SOMEA approved list so that the Association members could see which rooms they would be assigned to and match it up with their list of approved rooms. We finalized the list adding the Marshall school rooms on March 5. SOMEA did not communicate with us over the weekend or on Monday at all."*

FACTS: SOMEA repeatedly requested an updated list of fit classrooms under the terms of the Sidebar Agreement. When the district refused to provide such information, the mediator directed SOMEA to place its request in writing, which it immediately furnished to the district. The list furnished to SOMEA on March 8, 2021 proposed to place staff and students deemed unfit based on SOMEA's January 2021 walkthroughs and is not inclusive of the information requested by SOMEA.

- Prior to the first date of mediation between the parties on February 25, 2021, SOMEA requested via the mediator that the district provided an updated list of fit rooms within the meaning of the Sidebar Agreement. SOMEA renewed this request via the mediator on February 19, 2021. The district did not furnish any such list.
- During the first day of mediation between the parties on February 25, 2021, SOMEA again requested the district provide a list of remediations and repairs made to district buildings. The district's attorney's response was that he was a lawyer, not an administrator, he had a family, and it was unreasonable for SOMEA to ask him to call 50 people to get such information. Neither the Superintendent nor the President of the Board of Education could furnish such information though present.
- On March 2, 2021, when the mediation continued, SOMEA once again requested that the district furnish an updated list of remediations and repairs made to the buildings. The district responded that such information was not relevant to the discussions surrounding the return of any cohorts with SOMEA.
- After failing to make any progress with the district in response to SOMEA's reasonable request, at the mediator's suggestion, SOMEA made the following written request: "Please accept this as a formal request for information on behalf of the South Orange Maplewood Education Association. In order to adequately fulfill our fiduciary duty to fairly represent our membership as it relates to the health and safety of district facilities as well as to allow SOMEA to determine the district's compliance with the January 27, 2021 Agreement, we ask the district to provide evidence of any and all improvements and/or repairs made to district facilities to render worksites fit within the meaning of that Agreement. Additionally, SOMEA requests, to the extent not previously covered, any and all documentation related to the remediation of the issues identified in SOMEA's walkthroughs, copies of which were provided to the Board and Superintendent on January 31, 2021." The district declined to respond to this request.
- The mediator temporarily suspended mediation on March 2, 2021, based on her inability to obtain such information from the district.
- On March 8, 2021, the district furnished a proposed room usage list. This list proposes to use a number of rooms deemed unfit based on SOMEA's January 2021 walkthroughs.



**South Orange Maplewood
Education Association**