

Board Office Use: Legislative File Info.	
File ID Number	17-2522
Introduction Date	12/13/17
Enactment Number	17-829
Enactment Date	12/13/17 02



LABOR MANAGEMENT & EMPLOYEE RELATIONS

Memo

To Board of Education

From Marion McWilliams, General Counsel
Jenine Lindsey, Director of Labor Strategy

Board Meeting Date December 7, 2017

Subject **Approval of Side Letter of Agreement, as Agreement between Oakland Unified School District ("District") and Building Construction Trades Council of Alameda County ("BTC") regarding Mandatory Unpaid Furlough Days**

Action Requested Approval by the Board of Education of the Side Letter of Agreement, as Agreement between the District and BTC concerning mandatory unpaid furlough days effective January 1, 2018 through June 30, 2018.

Summary In order to address financial challenges for this 2017-2018 fiscal year, the District must undergo mid-year budget adjustments.

On December 1, 2017, parties representing the District and BTC reached an agreement that will require BTC members to take six (6) unpaid furlough days, one (1) day per month, between January 1, 2018 and June 30, 2018 to help mitigate the impacts of midyear budget adjustments to unit members during the 2017-18 fiscal year.

Fiscal Impact A cost savings of \$133,800 to the District

Recommendation Approval by the Board of Education of the Side Letter of Agreement, as Agreement between the District and BTC concerning mandatory unpaid furlough days effective January 1, 2018 through June 30, 2018.

Attachments

- Side Letter of Agreement

SIDE LETTER OF AGREEMENT
Between the
OAKLAND UNIFIED SCHOOL DISTRICT
And the
BUILDING AND CONSTRUCTION TRADES COUNCIL OF
ALAMEDA COUNTY

This side letter agreement ("Agreement") is entered into between Building and Construction Trades Council of Alameda County ("BTC") and the Oakland Unified School District ("District") (hereinafter collectively referred to as the "Parties") regarding mandatory furlough days for the 2017-18 fiscal year.

Whereas the Parties have met pursuant to Government Code Section 3540, et seq., and the collective bargaining agreement ("CBA"); and

Whereas the District is in the process of making mid-year budget adjustments for the 2017-18 fiscal year; and

Whereas the Parties share an interest in mitigating the impacts of midyear budget adjustments to unit members during the 2017-18 fiscal year;

The Parties agree to the following:

- A. **Mandatory Furlough Days.** Effective January 1, 2018 all unit members will be placed on mandatory unpaid furlough status for six (6) days, one (1) day per month, through June 30, 2018.
- B. **Compensation and Benefits.** Unit members shall continue to receive health and welfare benefits pursuant to the CBA. Each unit member's salary shall be reduced at per diem daily rates on the first bi-monthly pay warrant of each month. On unpaid furlough days, unit members will not be allowed to use vacation, sick, personal or other paid leave.
- C. **Furlough Schedule.** The District agrees to provide a furlough schedule to BTC and all unit members at least two (2) weeks prior to implementation. While in unpaid furlough status pursuant to this Agreement, unit members shall not be required to report to work.
- D. **Mitigation of Unit Member Lay-Offs.** Unit members shall not be subject to lay-offs during the 2017-18 fiscal year. The District agrees to meet and confer with

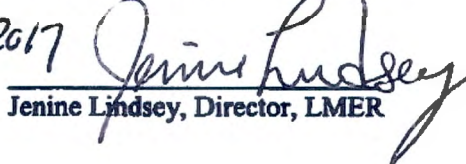
BTC to explore mitigating measures if layoffs are necessary during the 2018-19 fiscal year.


E. **Reservation of Rights.** Notwithstanding the above provisions, the District reserves the right to take action as necessary in an emergency situation and/or as required by state, federal or local law.



David Hunter, Chief Shop Steward

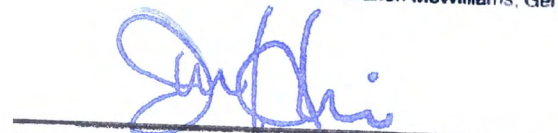

Amy Brandt, Labor Coordinator, LMER

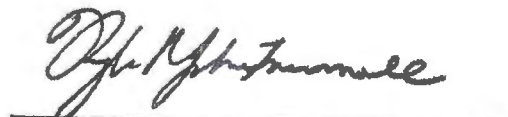

Eddie Alvarez, Business Representative

Dec 12 2017

Jenine Lindsey, Director, LMER


Marion McWilliams, General Counsel

OAKLAND UNIFIED SCHOOL DISTRICT
Office of the General Counsel
APPROVED FOR FORM & SUBSTANCE
By 
Marion McWilliams, General Counsel


James Harris
President, Board of Education


Kyla R. Johnson-Trammell
Secretary, Board of Education