

<b>Board Office Use: Legislative File Info.</b>	
File ID Number	17-1794
Introduction Date	12/13/2017
Enactment Number	171805
Enactment Date	12/13/17



OAKLAND UNIFIED  
SCHOOL DISTRICT

Community Schools. Thriving Students.

**LABOR MANAGEMENT & EMPLOYEE RELATIONS**

# Memo

**To** Board of Education

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

**Board Meeting Date** December 13, 2017

**Subject** **Approval of Side Letter of Agreement, as Agreement between Oakland Unified School District (“District”) and Teamsters Local 70 and Teamsters Local 853 (“Teamsters”) regarding Salary Increase and Bonus**

**Action Requested** Approval by the Board of Education of the Side Letter of Agreement, as Agreement, between the District and Teamsters concerning salary increase and bonus for the 2016-17 and 2017-18 school years.

**Summary** On June 14, 2017, the District conducted a Public Hearing (“sunshining”) on the District’s Initial Proposals for Re-Opener Negotiations with Teamsters Local 70 and Teamsters Local 853 (under Legislative File ID Number 17-1361).

On May 24, 2017, the parties representing the District and Teamsters reached an agreement regarding the following: for the 2016-17 fiscal year, provide a one-time off the schedule salary payment/bonus equal to 3.07% of salary earned between July 1, 2016 and December 31, 2016; and a one-time off the schedule salary payment/bonus equal to 3.40% of salary earned between January 1, 2017 and June 30, 2017. In addition, for the 2017-18 fiscal year, provide an on-going 3.40% salary increase to all unit members effective July 1, 2017.

**Fiscal Impact** The agreement is within the District’s financial ability to cover the anticipated costs.

**Recommendation** Approval by the Board of Education of the Side Letter of Agreement, as Agreement, between the District and Teamsters concerning salary increase and bonus for the 2016-17 and 2017-18 school years.

**Attachments**

- Side Letter of Agreement
- AB1200 Cover Memo
- AB1200 Certification
- Sunshine Proposal (Legislative File ID Number 17-1361)

**Side Letter Agreement**

**Between**

**Oakland Unified School District ("District")**

**and**

**Teamsters Local 70 and Teamsters Local 853**

A. For the 2016-17 fiscal year only, the District shall provide one-time off the schedule salary payments to all unit members as follows:

1. A one-time off the schedule salary payment/bonus equal to 3.07% of salary earned between July 1, 2016 and December 31, 2016.

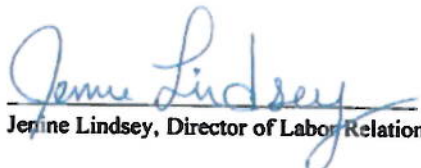
2. A one-time off the schedule salary payment/bonus equal to 3.40% of salary earned between January 1, 2017 and June 30, 2017.


B. For the 2017-18 fiscal year, the District shall provide an on-going 3.40% salary increase to all unit members effective July 1, 2017.

**TEAMSTERS LOCALS 70 & 853**

**OAKLAND UNIFIED SCHOOL DISTRICT**

By:  5/24/17  
Dominic Chiovaras, Business Agent, Local 70

By:   
Jerine Lindsey, Director of Labor Relations

By:  5/24/17  
Ray Torres, Business Agent, Local 853

By:   
Amy Brandt, Labor Coordinator



**MEMORANDUM**

DATE: August 9, 2017

TO: Board of Education

FROM: Superintendent Kyla Johnson-Trammell  
Vernon Hal, Senior Business Officer

RE: AB1200 Public Disclosure Documentation for Side Letter Agreement to Teamsters  
Collective Bargaining Agreement

*California Government Code* Section 3540.2 requires a school district with a qualified report certification to submit any proposed (tentative) collective bargaining agreement to the county office for review and comment prior to approval by the board. OUSD has a “qualified” certification and is subject to this requirement. The district must provide the county with all information relevant to yield an understanding of the financial impact of that agreement.

The proposed Side Letter Agreement of May 24, 2017 between Teamsters Local 70 & Local 853, and Oakland Unified School District (OUSD) provides for a one-time salary payment/bonus for 2016-17 and an on-going salary increase for 2017-18. The 2016-2017 one-time salary payment/bonus will be paid to all unit members in the 2017-2018 fiscal year.





# Alameda County Office of Education

L. Karen Monroe  
Superintendent

## BOARD OF EDUCATION

Joaquin Rivera  
Trustee Area 1

Amber Childress  
Trustee Area 2

Ken Berrick  
Trustee Area 3

Aisha Knowles  
Trustee Area 4

Fred Sims  
Trustee Area 5

Eileen McDonald  
Trustee Area 6

Yvonne Cerrato  
Trustee Area 7

September 18, 2017

James Harris, President  
Board of Education  
Oakland Unified School District  
1000 Broadway, Suite 680  
Oakland, CA 94607

RE: Public Disclosure of Collective Bargaining Agreement

Dear President Harris:

We have reviewed the Public Disclosure of Collective Bargaining Agreement between Oakland USD and the Teamsters Local 70 & Local 853 bargaining unit. This agreement covers the period of July 1, 2015 to June 30, 2018, and includes a one-time payment for 2016-17, as well as an ongoing 3.40% salary increase for 2017-18. Additionally, our review included a no-cost Side Letter Agreement from May 31, 2017 with United Administrators of Oakland Schools (UAOS), which extends the current collective bargaining agreement one year. The purpose of our review is to determine whether these agreements will have a material impact on the financial condition of the District in 2017-18 and the subsequent two fiscal years.

Per the Collective Bargaining Disclosure documents, all associated expenditures regarding these recent settlements have been captured in the 2017-18 Adopted Budget. Based on the Multi-Year Projection (MYP) submitted with the 2017-18 Adopted Budget and adjusted based on the 2016-17 financials, it appears *uncertain* the District will be able to successfully meet the two percent Reserve for Economic Uncertainties for the subsequent two fiscal years.

We understand the District is aware of its pattern of deficit spending, and we continue to maintain a very high level of concern regarding the District's fiscal outlook, both in 2017-18 and beyond. We continue to strongly encourage the immediate consideration of all possible budget balancing solutions. Board action should be taken prior to the First Interim reporting period to ensure the future fiscal stability of the District.

313 W. Winton Ave.  
Hayward, California  
94544-1136

(510) 887-0152

[www.acoe.org](http://www.acoe.org)

At the time of this letter, the Alameda County Office of Education has “conditionally approved” the District’s 2017-18 Adopted Budget, pending further review of the 2016-17 Unaudited Actuals. The results of our review, and any impact it may have on the fiscal health of the District, will be communicated in the coming weeks.

As the District prepares for the First Interim report, we would like to highlight our concerns with the District’s projected 2017-18 salaries and benefits. The District has had difficulty accurately projecting these expenditures, and will need to prepare for budget reductions should the 2017-18 salaries and benefits align more closely with those of 2016-17. At present, the 2017-18 Adopted Budget shows an approximate \$18M decrease to salaries and benefits over 2016-17. This reduction may be optimistic and the District should have contingency plans in place should these reductions not materialize.

We appreciate the assistance and cooperation of the District’s business office during our review process. If you have any questions, please feel free to call me at (510) 670-4140.

Sincerely,

A handwritten signature in blue ink, appearing to read 'L. Karen Monroe', is written over a light blue horizontal line.

L. Karen Monroe, Superintendent  
Alameda County Office of Education

cc: Board of Education, Oakland USD  
Kyla Johnson-Trammell, Superintendent, Oakland USD  
Vernon Hal, Senior Business Officer, Oakland USD  
Gloria Gamblin, Interim Chief Financial Officer, Oakland USD  
Chris Learned, State Trustee, Oakland USD  
Tom Torlakson, State Superintendent of Public Instruction, CDE  
Jeffrey B. Potter, Chief Business Officer, ACOE  
Shirene Moreira, Director, ACOE

## Certification of the District's Ability to Meet the Costs of Collective Bargaining Agreement: Teamsters

*This disclosure document must be signed by the District Superintendent and Chief Business Official prior to the public disclosure.*

**In accordance with the requirements of Government Code Section 3547.5, the Superintendent and Chief Business Official of Oakland Unified School District, hereby certify that the District can meet the costs incurred under the Collective Bargaining Agreement between the District and the Teamsters Local 70 & Local 853 Bargaining Units, during the term of the agreement from July 1, 2015 to June 30, 2018**

	<b>FUND 01</b>	<b>FUND 13</b>	<b>TOTAL</b>
<b>Year 1</b>	\$36,351	\$18,855	\$55,206
<b>Year 2</b>	\$18,421	\$ 9,251	\$27,672
<b>Year 3</b>	\$18,421	\$ 9,251	\$27,672


*The budget revisions necessary to meet the costs of the agreement in each year of its term are itemized below. If the District does not adopt all of the revisions in the current fiscal year, the County Superintendent is required to issue a qualified or negative certification on the next Interim Report per Government Code (GC) 3547.5(c)*

<b>Budget Adjustment Categories</b>	<b>Increase(Decrease) Year 1</b>	<b>Increase(Decrease) Year 2</b>	<b>Increase(Decrease) Year 3</b>
<b>Revenues/Other Financing Sources</b>			
<b>Expenditures/Other Financing Uses</b>			
<b>Fund 01</b>	\$36,351	(\$17,930)	-0-
<b>Fund 13</b>	\$18,855	(\$9,604)	-0-
<b>Ending Balance Increase (Decrease)</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>

No budget revisions necessary

These projections are based on the attached assumptions, which become an integral part of this document.

**Certification of the District's Ability to Meet the Costs of Collective Bargaining Agreement: Teamsters (cont'd)**

  
\_\_\_\_\_  
James Harris  
President, Board of Education

  
\_\_\_\_\_  
District Superintendent (Signature)

  
\_\_\_\_\_  
Date

\_\_\_\_\_  
Kyla Johnson-Trammell  
District Superintendent (Type Name)

\_\_\_\_\_  
Chief Business Official (Signature)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Vernon Hal  
Chief Business Official (Type Name)

<b>Board Office Use: Legislative File Info.</b>	
File ID Number	17-1361
Introduction Date	6-14-2017
Enactment Number	
Enactment Date	



OAKLAND UNIFIED  
SCHOOL DISTRICT

*Community Schools, Thriving Students*

**To** Board of Education

**From** Marion McWilliams, General Counsel *MM*  
Jenine Lindsey, Director of Labor Relations & Strategy

**Board Meeting Date** June 14, 2017

**Subject** "Sunshining" of the District's Initial Proposals to the Teamsters Local 70 and Local 853 ("Teamsters")

**Action Requested:** Conduct a Public Hearing on the District's initial proposals (attached) for reopener negotiations.

**Summary:** Pursuant to Section 3547 of the Educational Employment Relations Act, before representatives of the District and Teamsters may begin reopener negotiations, the parties are required to present their initial proposals for public review and comments ("sunshining") on the proposals.

**Recommendation:** Conduct a Public Hearing on the District's initial proposals (attached) for reopener negotiations.

**Fiscal Impact:** Any tentative agreement will be within the District's financial ability to cover the anticipated costs.

**Attachments:** District's Initial Proposals



**THE OAKLAND UNIFIED SCHOOL DISTRICT (“the District”)  
REOPENER NEGOTIATIONS  
WITH  
TEAMSTERS LOCAL 70 AND TEAMSTERS LOCAL 853 (“Teamsters”)**

**June 14, 2017**

**Sunshine Proposal from the District**

Consistent with the relevant provisions of the Educational Employment Relations Act (Government Code section 3540 *et seq.*), including Section 3547 of the Government Code, the District sunshines the initial proposal below for its reopener provision in the collective bargaining agreement (“CBA”) between Teamsters and the District. The District seeks to align the compensation of the Teamers unit members with their current scope of work.

Therefore, the District is prepared to meet for negotiations in good faith to discuss the following articles of the CBA:

**ARTICLE 5-Compensation**

File ID Number	<u>17-1361</u>
Introduction Date	<u>6-14-2017</u>
Enactment Number	_____
Enactment Date	_____