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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 United Administrators of Oakland Schools (“UAOS”) regarding Voluntary Unpaid Leave and Voluntary Payroll Deductions**

Action Requested Approval by the Board of Education of the Side Letter of Agreement, as Agreement between the District and UAOS concerning Voluntary Unpaid Leave and Voluntary Payroll Deductions. Form collection period will be December 15, 2017 through January 15, 2018.

Summary In order to address financial challenges for this 2017-18 fiscal year, Oakland Unified School District (“District”) must undergo mid-year budget adjustments.

On November 17, 2017, parties representing the District and UAOS reached an agreement to offer the option of voluntary unpaid leave or payroll deductions to UAOS members to help the District reduce 2017-18 costs.

Fiscal Impact An estimated cost savings to the District will be reported to the Board of Education at a later date.

Recommendation Approval by the Board of Education of the Side Letter of Agreement, as Agreement between the District and UAOS concerning Voluntary Unpaid Leave and Voluntary Payroll Deductions. Form collection period will be December 15, 2017 through January 15, 2018.

Attachments

- Side Letter of Agreement

SIDE LETTER OF AGREEMENT
Voluntary Contributions and Voluntary Unpaid Leave
between the
United Administrators of Oakland Schools (UAOS)
and the
Oakland Unified School District ("District")

This side letter agreement ("Agreement") is entered into between the United Administrators of Oakland Schools ("Union") and the Oakland Unified School District (the "District"). The purpose of the Agreement is to provide UAOS members with a mechanism for contributing, on a voluntary basis, to the District's effort to reduce payroll expenditures during the 2017-18 school year. Pursuant to this Agreement, UAOS members will have two voluntary options:

- 1) Unit members may donate on a voluntary basis through payroll deductions.
- 2) Unit members may elect to take voluntary unpaid leave.

Option 1: Voluntary Donations Through Payroll Deductions

- a) On a strictly voluntary basis, UAOS members may elect a voluntary after-tax contribution/donation equivalent to their gross daily rate or a flat dollar amount as determined by the UAOS member.
- b) Voluntary donations will be collected by an after-tax payroll deduction.
- c) Such donations may be classified as a charitable contribution.
- d) UAOS members who elect to donate days may not take time off as consideration for the deducted amount.
- e) UAOS members may elect to donate by completing the form in *Attachment 1: 2017-18 Voluntary Contribution Deduction Form* and submitting it to Labor Management and Employee Relations, 1000 Broadway, Suite 680, Oakland, CA 94607 by January 15, 2018.
- f) By January 30, 2018, each donating member will receive a letter of confirmation from the District confirming the amount of the deductions and the schedule for implementation of such deductions by payroll.

Option 2: Voluntary Unpaid Leave

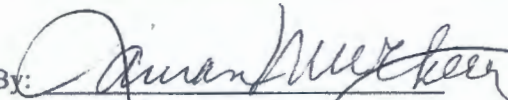
For the remainder of the 2017-18 school year, unit members will be allowed to choose up to five (5) days of voluntary unpaid leave.

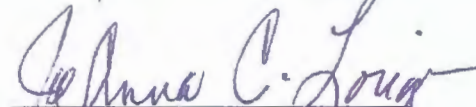
- a) Unit members will elect this option by submitting a completed form including all unpaid leave to be taken for the year. (see *Attachment 2: 2017-18 Voluntary Unpaid Leave Form*).
- b) Effective December 15, 2017 and through January 15, 2018, *Attachment 2: 2017-18 Voluntary Unpaid Leave Form* may be submitted to the Labor Management and Employee Relations office, 1000 Broadway, Suite 680, Oakland, CA 94607. Forms must be submitted on or before January 15, 2018 at 5pm.

UAOS neither endorses or opposes voluntary contribution and/or voluntary unpaid leave. This is optional and a personal decision for each UAOS member.

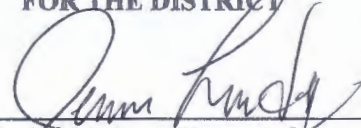
In witness whereof the parties hereto have executed this agreement this 17th day of November, 2017.

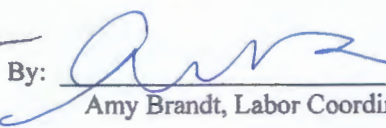
FOR THE UNION


By: 
Luran Cherry, President

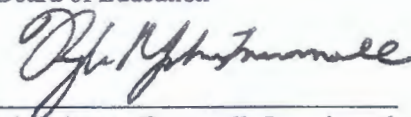
By: 
JoAnna Lougin, Executive Director

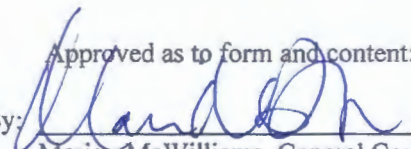
FOR THE DISTRICT


By: 
Jenine Lindsey, Director of Labor Strategy

By: 
Amy Brandt, Labor Coordinator

By: 
James Harris, President Board of Education

By: 
Kyla Johnson-Trammell, Superintendent and Secretary, Board of Education

Approved as to form and content:
By: 
Marion McWilliams, General Counsel

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

Attachment 1: 2017-18 Voluntary Contribution Deduction Form

Employee: _____

ID# _____

I hereby authorize the Oakland Unified School District to withhold the equivalent of _____ days of salary from my pay during the 2017-18 fiscal year.*

or

I hereby authorize the Oakland Unified School District to withhold a flat rate of \$ _____ per pay period; a total annual contribution of \$ _____.

**Note: Our payroll department will assist by confirming your daily rates based on payroll records.*

I agree to the following deduction schedule:

Month	Number of Days
January 2018	
February 2018	
March 2018	
April 2018	
May 2018	
Total Number of Days	

I understand that the effect of the above election means any discrepancies in my voluntary deductions as reported on my pay stub must be reported by me in writing to payroll with cc to Labor Management and Employee Relations, 1000 Broadway, Suite 680, Oakland, CA 94607. The voluntary deduction may be claimed as a charitable contribution for tax purposes. The Oakland Unified School District does not provide goods or services in return for any contribution made to it by payroll deduction.

Employee Signature

Date

Attachment 2: 2017-18 Voluntary Unpaid Leave Form

Employee: _____ ID # _____

I hereby elect to take _____ unpaid leave days during the 2017/2018 fiscal year, which will be scheduled by my department.

The effect of this election means:

- In order to stabilize the effect of this reduction on my paychecks, the District will annualize the deduction so that it is spread evenly over my paychecks for the remainder of the year.
- No paid leave, including compensatory time or other personal paid leave, may be used on or in lieu of a furlough day.
- I cannot be required to work in my area or perform official duties on unpaid leave days..
- I understand that this election will result in a decrease in service credit days for the purposes of retirement.

Employee Signature

Date