

Board Office Use: <b>Legislative File Info.</b>	
File ID Number	14-1608
Introduction Date	9-10-14
Enactment Number	
Enactment Date	



OAKLAND UNIFIED  
SCHOOL DISTRICT

Community Schools, Thriving Students

# Memo

**To** Board of Education

**From** Jacqueline P. Minor, General Counsel  
Troy Christmas, Director, Labor Strategy

**Board Meeting Date** August 27, 2014

**Subject** "Sunshining" of the American Federation of State, County and Municipal Employees (AFSCME), Local 257 Initial Proposals (IPs) to the District

**Action Requested** Conduct a Public Hearing on the AFSCME initial proposals (attached) for a full Successor Agreement, effective July 1, 2014.

**Background** Pursuant to Section 3547 of the Educational Employment Relations Act, before representatives of the AFSCME and the District may begin negotiations for a new Agreement, 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 AFSCME initial proposals (attached) for a full Successor Agreement, effective July 1, 2014.

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

**Attachments** AFSCME Initial Proposals



**Local 257**

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(510) 577-9694  
(800) 244-8122  
(510) 383-9613 FAX

June 2, 2014

*Sent Via Email*

Gary Yee  
Superintendent  
Oakland Unified School District  
1000 Broadway, Suite 680  
Oakland, CA 94607

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Re: Initial Bargaining Proposals to Commence Negotiations for New Successor Agreement

Dear Superintendent Yee:

Pursuant to the Collective Bargaining Agreement (CBA) between the Oakland Unified School District and AFSCME Local 257, we are hereby serving notice of our intent to reopen the following Articles in anticipation of our upcoming negotiations.

**Article 1 – Recognition**

AFSCME will propose to modify language to reflect our bargaining unit.

**Article 2 – Definitions**

AFSCME will propose amendments to clarify definitions and include new definitions.

**Article 3 – Non-Discrimination**

AFSCME will propose to modify language to reflect changes in laws, rules/regulations pertaining to bullying, discrimination, harassment, retaliation and hostile work environment.

**Article 7 – Assignments/Promotions/Transfers/Vacancies**

AFSCME is interested in improving language to address assignments, promotions, transfers, reassignments, vacancies, classifications, positions and postings.

**Article 8 – Layoffs**

AFSCME will propose to amend language to clarify layoff rights of bargaining unit employees.

**Article 9 – Hours of Employment**

AFSCME will propose to modify language regarding work schedules, overtime, compensatory time and extra time.

**Article 10 – Leaves of Absence**

AFSCME will propose to clarify and improve language to be consistent with state and/or federal labor laws; increase time off accruals.

**Article 13 – Compensation**

AFSCME will propose to negotiate and enhance a compensation package to be fair and equitable to recruit and retain employees; establish longevity, enhance shift differential, higher education incentives; reconstruct salary step structure and salary ranges.

Article 16 – Grievance Procedure

AFSCME will propose to amend language to improve efficiency of the process.

Article 17 – Grievance Arbitration and Appeal Procedure for Disciplinary Actions

AFSCME will propose binding arbitration for disciplinary matters.

Article 18 – Union Rights

AFSCME will propose to revise language to reflect current labor law rules and regulations.

Article 19 – Safety and Training

AFSCME will propose to improve safety training language.

Article 20 – Contracting Work Out

AFSCME is will propose language to provide for protection in accordance with application laws.

Article 21 – Working Out of Classification

AFSCME wishes to improve language to provide for an incentive to work out of class.

Article 22 – Other Provisions of Agreement

AFSCME will introduce language to improve the miscellaneous provisions of the contract.

Article 26 – Aides Special Education

AFSCME will propose language to address the evolution of the ASE classification.

Article 27 – Civic Center

AFSCME will propose to clarify process/procedures for use of facilities; ensure proper rules and regulations are adhered to and proper compensation is received timely for services rendered.

Article 28 – Summer School

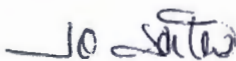
AFSCME will propose language to clarify summer school compensation, process and procedures for summer school work, accruals received for summer school work.

Article 29 – Duration of Agreement

AFSCME is interested in negotiating in good faith contractual terms beneficial for all parties.

Please be advised the list of proposals is not exhaustive. AFSCME reserves the right to add, modify or delete proposals for any Articles during the course of negotiations, in accordance with the parties' ground rules and applicable laws. Please let me know if you have any questions.

Sincerely,



Business Agent

cc: Sherman Phillips, President, Bargaining Team Member  
Eugene Augustine, 2<sup>nd</sup> Vice President, Bargaining Team Member  
Melisha Linzie, AFSCME Bargaining Team Member  
Yvette Clements, AFSCME Bargaining Team Member  
Donna Irby, AFSCME Bargaining Team Member  
Troy Christmas, Director LMER