After The Fact #2

February 23, 2022

It has been a while since our last DEA negotiations update. The DEA Bargaining Team last sent an After the Fact on Thursday, October 28, 2021. At that time, the District team had made itself available to meet and negotiate only after school from 3:00-5:00pm, and only on a limited number of days.

After the October 28, 2021, contract negotiations session, DEA scheduled Tuesday, December 7, 2021, from 3:00-5:00pm, to continue contract negotiations and then again on Wednesday, February 23, 2022.

However, on Friday, December 3, 2021, at 3:00pm, the District contacted the DEA Bargaining Team to cancel contract negotiations scheduled for Tuesday, December 7, 2021. DEA offered three replacement dates in January. We are disappointed to report that the DEA Bargaining Team did not receive a response from the District to multiple attempts to reschedule contract negotiations.

Since September 2021, DEA Negotiations has submitted multiple written requests for information to the District. These information requests are necessary for the DEA Bargaining Team to negotiate prudently and protect OUR collective interests. These outstanding information requests include the following:

- Teacher absence information from each site and all days covered by District administrators;
- Excel file with all teachers contact information (Article V Association Rights Section E);
- Data regarding the number of credits earned via Dual Enrollment; and
- Information regarding the District’s unilateral change in accounting for teacher absences only by full-or-half-days rather than by period, as required by our contract language (Article XVI Leaves Section A.2.e.)

The District is legally required to provide this information upon request. Yet, none of the above information requests, first made in September, 2021, have been answered by the District. As of February 23, 2022, the only information DEA has received has been budget information requested of the Business Department (who regularly responds to DEA requests promptly), and copies of the flyers about Dual Enrollment that have been sent to the public from the Educational Services Department. Today, DEA once again reiterated our outstanding requests.

On November 19, 2021, DEA filed a grievance regarding the change in accounting for teacher absences only by full-or-half-day. This is a violation of Article XVI Leaves Section A.2.e.. The District has not formally responded to this grievance; although, we are told that the District is working on the issue. Along with this November 19, 2021, grievance, three grievances remain unresolved by the District:

1. Summer School 2021
2. Department Coordinator Elections
3. Bell Schedule

Today, on Wednesday, February 23, 2022, DEA met for our first full-day of contract negotiations with the District.

In October, DEA proposed contract language modifications to both Article V: Association Rights and Article IV: Negotiation Procedures that aim to improve communication between the District and the Association. Today, the District presented their counter proposal to these two articles. Several counter proposals were passed between the parties, but we remain far apart on what we each understand to be “reasonable” timelines for two-way
communication.

We know that the District has reached a Tentative Agreement with CSEA for this year including a salary increase. However, the District did not offer DEA a proposal on salary today.

On March 8, 2022, the District’s Second Interim Budget Report will be presented at the HBUHSD Board meeting, just two weeks from now. DEA relies on this most current financial data when negotiating a fair salary increase for our members, so DEA has elected to negotiate salary after the Second Interim Budget Report has been published and provided to us.

GOOD NEWS:
The District and DEA reached a Tentative Agreement (TA) on Article XV Fringe Benefits. Benefits are guaranteed until December 31, 2022. (See attached TA)
The District and DEA also reached a Tentative Agreement on the 2022-23 Calendar. (See attached TA)

The calendar includes agreement on the following:

- First day of school for Returning Teachers will be Monday, August 29, 2022
- First day of school for students will be Wednesday, August 31, 2022
- Winter break will begin on Friday, December 23, 2022
  - (Thursday, December 22 will be the last day of school).
- Return to school on Monday, January 9, 2023
  - This holiday break aligns with OVSD and HBCSD
- Spring Break will be April 10-14, 2023
  - This holiday break aligns with OVSD, HBCSD, and WSD
- The last day of school will be Friday, June 16, 2023

The DEA Bargaining Team is committed to reach a fair, timely, and amicable agreement and is cautiously optimistic that the District and DEA will be able to make quick progress this spring.

Negotiation sessions are scheduled for Thursday, March 10, 2022 and Wednesday, March 30, 2022.

**IMPORTANT:** We need YOU to stay informed, ask questions, speak with your School Site Reps and/or Building Chairs, and maintain communication with your DEA Bargaining Team via personal e-mail, NOT district e-mail.

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