

Thursday, August 17, 2023

CEA FR Training



BUILDING SUBSTITUTE FIRST COLLECTIVE BARGAINING AGREEMENT

Jeremy Baiman, OEA LRC

The Basics

- Building Substitutes are the newest members of CEA, voluntarily recognized as part of our bargaining unit in April of 2023 after a six-month organizing campaign.
- Negotiations took place this summer and Building Substitutes ratified their first Working Agreement in July.
- The nearly 300 Building Substitutes will have their own CEA unit, part of District 9.
- Please welcome newly-elected Building Substitute SFR Kim Maupin and our other new Building Substitute FRs in attendance tonight!

The Basics (Continued)

- The Building Substitute Working Agreement is available in full on the CEA website in the “Contract” section.
- The Working Agreement will expire in 2025, at the same time as our Master Agreement. A provision in the agreement ensures that the language from this document will automatically be a part of our next Master Agreement.
- Prior to this agreement, practices were different at each building. They are now standardized. Accordingly, this presentation will not cover all aspects of the new agreement but instead will focus on what impact the Working Agreement will have on other CEA members in the building.

Building Substitute Job Duties

- Working Agreement: “The primary job duty of Building Substitutes shall be to provide substitute instruction in the case of absences of classroom teachers not to exceed sixty (60) days. During assignable time (regular instructional time not inclusive of planning time, conference periods, lunch, duties, etc...), Building Substitutes who are not assigned to provide substitute classroom instruction due to sufficient building staffing may be directed to perform alternate tasks which directly support academic student instruction.”
- If classroom coverage is needed, that’s what a Building Substitute must be doing. If no coverage is needed, support work must directly support academic student instruction (not OAPSE work).

Building Substitute Class Size

- Working Agreement: “The number of students assigned to a Building Substitute while providing substitute classroom instruction shall not exceed the maximums established in Article 301.01.”
- Building Substitutes cannot provide classroom coverage above contractual class size limits, and accordingly are not paid for such coverage.

Building Substitute Workday

- Working Agreement: “Building Substitute workday schedule shall be consistent with full-time contract teachers in the CEA bargaining unit assigned to the Building Substitute’s assigned school building and the Master Agreement between the Columbus Education Association and Columbus City Schools, except that:
 - during all duty time, Building Substitutes may be directed to provide substitute instruction or perform alternate tasks which directly support academic student instruction.
 - Building Substitutes will have a 30-minute unpaid lunch period that shall normally be scheduled during student lunch time.”

Building Substitute Work Year

- Working Agreement: “Building Substitutes shall be compensated for those days on which students are scheduled to be in attendance and for scheduled professional development days. Building substitutes in classroom assignments of 30 consecutive school days or more will also be compensated for actual time worked on record days and during parent teacher conferences.”

Building Substitute Regular Assignment

- Working Agreement: “At the beginning of each school year, Building Substitutes will be assigned a primary building location by the Superintendent or designee. Building Substitutes shall normally continue in the same building assignment from year-to-year unless written notification of a reassignment for the following school year is provided by June 25 by the Superintendent or designee, or a reassignment is requested by the Building Substitute, by May 1 and approved by the Superintendent or designee. Such written notice shall be inclusive of the reason for the reassignment. Reassignments shall not be arbitrary or capricious in nature.”

Building Substitute Temporary Assignment

- Working Agreement: “In the event that the Superintendent or designee determines that additional coverage is required in a school building on a temporary basis, a notification and call for voluntary temporary reassignment shall be made to the building administrator(s) in the building(s) where sufficient substitute coverage exists as soon as is practicable. In the event that there are no approved volunteer Building Substitutes, a Building Substitute may be directed to report to a building other than their assigned building on a temporary basis. Such temporary reassignments shall be equitable to the degree possible. Transportation costs to and from a building other than a Building Substitute’s assigned building shall be reimbursed consistent with Board Policy and the Master Agreement.”

Building Substitute Long-Term Assignments

- Working Agreement: “Vacancies of more than sixty (60) school days shall be assigned first to a building substitute that possesses a teaching license, if available.”
- Due to the high number of vacancies, CEA and CCS are working to complete an MOU that would allow Building Substitutes who hold the appropriate full-time teaching license to voluntarily fill a year-long vacancy for compensation equal to that of a retire-rehire.

Building Substitutes and 211

- Working Agreement: “Building Substitutes with an ODE Teaching License may participate in Rounds 1 and 2 of the 211 process. Building Substitutes are not permitted to participate in Job Fair.”
- This language compliments a “Pathway to Licensure” joint committee which is designed to create a pipeline for Building Substitutes who want to earn their licensure and become regular classroom teachers within CCS.

Building SFR Role

- Welcome Building Substitute(s) in your building as a new member of the CEA family
- Sign Building Substitute(s) in your building up as CEA members if they have not signed up already
- Refer your Building Substitute(s) to SFR Kim Maupin or the CEA office with any contractual or Building Substitute-specific questions.

Questions?

Leaves

Tai Hayden and Teri Mullins

Article 701- Sick Leave

- Call off at least 1.5 hours before scheduled workday (enter absence into Red Rover and notify your administrator/supervisor)
- If your personal illness extends:
 - more than three days, you need to advise your administrator (in writing) of your estimated duration of sick leave.
 - to ten or more days, you need to request a medical leave of absence.
- If your family illness extends for an excess of three or more days, you will need to provide HR administration (Leaves Dept) medical documentation.

702.12- Personal Leave

Except for unusual or unforeseen circumstances, a teacher shall provide written notification to your administrator/supervisor at least **five school days** in advance of your intent to use personal leave.

**This pertains to your annual accrued personal leave*

701.02(D) Assault Leave

A member can be granted up to forty days due to an injury resulting from a physical assault of a teacher on board premises or which occurs off Board premises in connection with the performance of assigned duties.

- ***Paid/unpaid sick leave runs concurrently with FMLA usage***



Columbus Education Association

Target: **ZER@** Campaign

What should I do if I am injured or assaulted?

1. If you need immediate medical attention, get it. Take pictures of visible injuries.
2. Immediately contact your administrator, faculty representative, and CEA to let them know an injury or assault has taken place.
3. Make sure to complete a Workplace/Injury Report at <https://bit.ly/2Z0qTJr>, and in the case of an assault, include a Discipline Referral as well. Make copies for your files.
4. Refrain from making any verbal or written statements until you have been advised by CEA.
5. If you have utilized sick leave as result of injuries sustained from an assault, you may be eligible to receive Assault Leave. To apply for Assault Leave, contact Broadspire at www.myleavetech.com or call 888-578-8561.
6. Your principal should contact the appropriate personnel and secure written statements from all parties involved. You should request copies.
7. As soon as possible, write a detailed statement of the incident for your personal files.
8. Keep all records of the incident.
9. You should keep CEA and your administrator apprised of all developments.

NO WORK INCIDENT IS TOO MINOR. NO INJURY OR ASSAULT GOES UNREPORTED.



Columbus Education Association

702.11 Religious Leave

A teacher may be absent, with pay, on a day identified by a duly constituted religious body as a religious holiday, provided that duly constituted religious body has established that in order to properly observe such religious holiday no work should be performed on such day and provided the employee is an **active member** of such religious body.

You must make your request to Human Resources (leavesofabsence@columbus.k12.oh.us) at least **five school days** prior to the holiday.

Such absence ***shall not exceed three days*** during the school year.

702.13 Jury Duty

If you are summoned for jury duty, you shall be eligible for leave for the number of days needed to accept jury duty. You need to do the following:

- Email (leavesofabsences@columbus.k12.oh.us) or fax (614-365-4044) a copy of your summons as soon as you receive it. Include your name, employee ID, work location and supervisor.
- Absence will be entered into Red Rover by the Leaves Department
- ***Any funds received for jury duty must be turned over to CCS payroll department.***
- Questions: 614-365-6791 or leavesofabsences@columbus.k12.oh.us

703 Sabbatical Leave

A member, who has employed with the district for a minimum of five years, can apply for sabbatical leave for a proposed program as it relates to professional graduate study, travel, writing or research.

- Written applications must be made by **March 1** for the upcoming school year. Teachers requesting leave must include a **detailed plan** for the use for the sabbatical leave.
- A committee reviews all application requests and notifications of approval are made by April 30th (or as soon after)

Leaves of Absences

If you need to take a medical leave of absence (regular or intermittent) you need to apply for leave through **Broadspire**.

- Call **888-578-8561**, no more than 45 days prior to the anticipated start of your leave.
 - They will get basic information from you to personalize your leave paperwork
 - They will need medical documentation from your medical provider
 - You will receive a determination from Broadspire within ***five business days*** after all documentation is received
 - ***You will need to enter your absences into Red Rover while you wait for your approval***
 - Once approved, you will get information about your leave- including anticipated return to work date. The leaves team will also enter your absences moving forward
 - When you are ready to return to work- you must follow the appropriate steps to be “cleared” by the Leaves Dept
 - ***Paid/unpaid sick leave runs concurrently with FMLA usage***

Sick Leave Bank Application

- Join **one time only**; good for the duration of your employment with CCS
- Member donates two days into the bank in order to have access to **borrow up to ten days** at one time.
- Application window for the 2023-2024 school year is open through **September 29, 2023**



COLUMBUS CITY SCHOOL DISTRICT
CEA MEMBERS
SICK LEAVE BANK
APPLICATION TO JOIN/ DONATE

<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
LAST NAME	FIRST NAME	MI	EMPLOYEE NUMBER

*NUMBER OF DAYS/HOURS BEING DONATED
(Must be 2 days)

I freely donate the days/hours as indicated above to the CEA Sick Leave Bank. I am aware that these days will be deducted from my sick leave accrual and will NOT be counted as sick leave days used.

SIGNATURE:

EMPLOYEE DATE PHONE BLDG

*2 days must be donated. For an hourly employee a day is the equivalent of the number of approved scheduled daily working hours.

<input type="text"/>	<input type="text"/>
SICK LEAVE BANK COMMITTEE MEMBER SIGNATURE	DATE

SEND FORM TO: leavesofabsence@columbus.k12.oh.us

DEADLINE TO SUBMIT IS **FRIDAY, SEPTEMBER 29, 2023**



Sick Leave Bank Withdrawal Form

- If you are going to run out of accrued sick leave, you can borrow **up to ten days at one time**, from the sick leave bank.
- The completed request must be sent to the Leaves Department prior to using the sick days.
- You cannot borrow additional days until you have **“repaid”** any outstanding balance.



Mission: Each student is highly educated, prepared for leadership and service, and empowered for success as a citizen in a global community.

SICK LEAVE BANK LOAN APPLICATION

NAME (please print): _____

ID #: _____

NUMBER OF DAYS REQUESTED (MAX. 10): _____

DATES OF LEAVE: _____

Obligations to the Bank must be repaid before additional days will accrue to the individual's earned sick leave balance.

Any alleged abuse of leave time will be investigated by the Committee. If a finding of abuse of the days granted by the Bank occurs, the employee will repay all of the sick leave credits drawn from the Bank, and the employee will be subject to other disciplinary action as determined by the school district.

An employee will lose the right to utilize the benefits of the Bank due to:

- Termination or suspension of employment with Columbus City Schools
- Cancellation of participation by the member on the proper form
- Transfer to a position in another union or association

An outstanding "loan balance" becomes due upon the employee's separation of service from Columbus City Schools.

I have read the terms stated above and agree to abide by such terms.

Signature: _____ Date: _____

COMMITTEE USE:

APPROVED: _____ DENIED: _____ DATE OF ACTION: _____

NUMBER OF DAYS APPROVED: _____

Committee Member Signature _____

Please return form to: Human Resources Administration or leavesofabsence@columbus.k12.oh.us

Human Resources Supporting Vision: Maximizing Human Capital for Student Success

The Columbus City School District does not discriminate based upon sex, race, color, national origin, religion, age, disability, sexual orientation, gender identity/expression, ancestry, familial status or military status with regard to admission, access, treatment or employment. This policy is applicable in all district programs and activities.



701.07 Catastrophic Leave

- If a member has ***exhausted all accrued leave balances*** and has been diagnosed with a catastrophic illness or injury, they would be eligible to ***apply for donated leave days from peers*** through the catastrophic leave bank.
- Members apply for leave through Broadspire. Broadspire will send out the paperwork and the member will need to provide the appropriate medical documentation with the completed applications.
- The Catastrophic Leave Committee will meet to review and approve applications on a monthly basis.

701.07 Catastrophic Leave

- Once approved for catastrophic leave (*up to 45 days at a time*)
 - CEA will solicit donations of days from members through the **CEA Voice**
 - Members can make donations to an approved colleague through the Catastrophic Sick Leave Donation Form
 - If the initial request has been exhausted and illness/injury requires additional time off, a second application can be made.
 - ***Catastrophic Leave sick leave runs concurrently with FMLA usage***



Columbus City Schools Catastrophic Sick Leave Donation Form

CCS Talent Department
3700 South High Street
Columbus, OH 43207
Phone: 614-365-6791
Fax: 614-365-4044

EMPLOYEE INFORMATION:

LAST NAME	FIRST NAME	MI	EMPLOYEE ID NUMBER
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I WISH TO DONATE SICK LEAVE TO:

LAST NAME	FIRST NAME
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I AM A MEMBER OF:

- ☐ CEA, AND WISH TO DONATE _____ DAYS
- ☐ CSEA/OAPSE, and WISH TO DONATE _____ HOURS

Signature of Donating Employee: _____ Date: _____

SUBMIT FORM TO LEAVESOFABSENCE@COLUMBUS.K12.OH.US OR FAX TO 614-365-4044

CONTACT LEAVESOFABSENCE@COLUMBUS.K12.OH.US OR 614-365-6791 WITH QUESTIONS

NOTES:

- An employee must be approved for catastrophic leave donations to receive sick leave donations.
- Only members of the same bargaining unit can donate sick leave to another member in the same bargaining unit.
- Donations are processed in the order they are received. If the employee receives the maximum amount of days approved your donation will not be processed.

702.02 Family and Parental Leave

- Complete leave of absence paperwork through Broadspire to start the process.
- For birth parent or adoptive/foster parent, **up to 30** paid family leave days for the birth of the child or the placement for the adoptive/foster child.
 - Initial **ten** days, the teacher can use accrued sick or take unpaid leave
 - For the next **twenty** days of leave, the teacher will be paid **70%** of their regular pay. They can **supplement** their pay, **up to 100%**, by using accrued leave

702.02 Family and Parental Leave Cont....

- For the ***non-birth parent***, up to ***fifteen days*** of family leave ***within six months*** of the birth of the child
 - Initial ***ten*** days, the teacher can use accrued sick or take unpaid leave
 - For the next ***five*** days of leave, the teacher will be paid ***70%*** of their regular pay. They can supplement their pay, up to ***100%***, by using accrued leave
- When members are approved for Family and Parental Leave with Broadspire, it will trigger the paperwork to select your leave options. That paperwork gets returned to the Leaves Department.
- ***Family and Parental Leave runs concurrently with FMLA usage***

Questions?

Constitution and Bylaws Overview

Phil Hayes, CEA Vice President

Our Governing Documents

- Your Union is governed by three key documents:
- CEA Constitution
- Bylaws of the Board of Governors
- Bylaws of the Legislative Assembly

The CEA Constitution

- The CEA Constitution is actually quite short; many of the specifics of how the organization runs is housed in the Bylaws.

The CEA Constitution: Compliance With OEA

- Each OEA local affiliate must submit their governing documents to OEA for review every five years.
- Our most recent review was in 2020.
- Our Constitution was found to be missing language that would prevent fiduciary conflicts.
- That language was added after we received the review (Article VI, Section 4, Subsection B.)

The CEA Constitution: Amendments

- The adoption (or non-adoption) of amendments to the CEA Constitution is the responsibility of the Legislative Assembly.
- There are three ways amendments can come before the Legislative Assembly.

The CEA Constitution: Amendments #1

- Any member of the LA can introduce an amendment at the **first meeting of the calendar year**, (copies of the amendments must be made available).
- The amendment automatically becomes part of the agenda.

The CEA Constitution: Amendments #1 (Con't.)

- After the first reading, the proposed amendment is automatically referred to the Constitution Committee.
- The Constitution Committee's responsibility is to review the proposed amendment and make recommendations.

The CEA Constitution: Amendments #1 (Con't.)

- At the next regular meeting of the LA, the Constitution Committee reports the proposed amendment and gives its recommendations.
- A two-thirds vote of the Legislative Assembly is required to adopt the amendment.

The CEA Constitution: Amendments #2

- Any member of the LA can introduce an amendment at **any meeting** of the calendar year, (copies of the amendments must be made available) **with the consent of two-thirds of the LA.**
- The amendment automatically becomes part of the agenda.

The CEA Constitution: Amendments #3

- If ten percent of the active membership signs a petition with the text of the proposed amendment and files it with the Secretary it will be added to the next LA Agenda.
- The Secretary is responsible for providing copies of the proposed amendment.

Amending The Bylaws of The Legislative Assembly

- Amendments to the Bylaws of the Legislative Assembly may be made by any member of the LA.
- It first must be presented and read at a meeting of the LA.
- At the next meeting a simple majority vote is needed for adoption.

Amending The Bylaws of The Board of Governors

- Amendments to the Bylaws of the Board of Governors may be made by any member of the BOG.
- It first must be presented and read at a previous regular meeting of the BOG.
- At the next regular meeting a two-thirds vote is needed for adoption.

Questions?

Reform Panel

Presented by CEA President John Coneglio

Contract Language

Article 1502: The Reform Panel shall facilitate the implementation of
(a) Initiative directed at the improvement of teaching and learning
conditions in the district (b) request for variances that may be
submitted by school-based shared decision-making cabinets **(ABC)**

- **Why should this go to ABC first?**

1503.02 The Panel shall have the authority to grant and cancel
variances to this agreement and shall have the authority to require
variances in practice in one or more schools.

Voting

At the building level a variance must have $\frac{2}{3}$ or 66.7% percent of the vote.

- Why such a high threshold?
- What if people abstain or don't vote?

Who Gets to Vote

- Everyone in the unit should have an opportunity to vote
- Bargaining unit members outside of the unit should also have the opportunity to vote if the variance impacts their job.
- Whether or not an individual is a CEA member does NOT impact their right to vote; if something is in the contract, all bargaining unit members get it, regardless of membership status.

Typical Variances

Teaching an extra class

Class coverage in middle school


Splitting lunch

Lunch in the classroom

Splitting Department Chair duties

Reform Panel Form:

Can be found on the CEA Website
ceanohio.org

 COLUMBUS CITY SCHOOLS	REFORM PANEL VARIANCE REQUEST FORM 2023-2024
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School/Department Name: _____ Implementation Year: _____

Check One:

☐ New School Request ☐ Renewal School Request ☐ New District Request ☐ Renewal District Request

1. Requesting variance from (check one):

<input type="checkbox"/> CEA/Board Collective Bargaining Agreement	Article No: _____
<input type="checkbox"/> Columbus Board of Education Policy	Policy Number: _____
<input type="checkbox"/> State or Federal Regulation	Code/Regulation Number: _____
<input type="checkbox"/> District Administrative Practice	Briefly Note: _____

2. Description of variance requested. Please be specific (attach additional sheets if necessary):

3. Rationale for Variance (attach additional sheets if necessary):

4. Expected student outcomes as a result of variance (attach additional sheets if necessary):

5. Variances requiring changes in individual teacher schedules should be attached with a written statement from the teachers involved stating they are in agreement with the contract changes.

6. At least 2/3 or 66.7% of the teaching staff, by secret ballot, must vote to support this Variance Request.

VOTES: For _____ Against _____ Abstentions _____ Absences _____ = _____ %

Principal or Chair, Site-Based _____ (date) _____ CEA Senior Faculty Representative _____ (date) _____

Print Name _____ Print Name _____

REFORM PANEL ACTION

Date of Reform Panel Action: _____

<input type="checkbox"/> Variance Approved as Submitted	<input type="checkbox"/> Variance approved as modified (see below)	<input type="checkbox"/> Variance Denied	<input type="checkbox"/> Complete and Submit State Waiver Request
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Modifications/Explanation: _____

Superintendent (date) _____ CEA President (date) _____

Where do I send the completed form?

Jill Kellner at Jkellner@columbus.k12.oh.us

When do I need to submit and when does the Panel meet?



REFORM PANEL MEETING DATES: SCHOOL YEAR 2023-24

VARIANCE REQUEST DUE DATE	REFORM PANEL MEETING
August 4 th	August 16 th
September 1 st	September 13 th
October 6 th	October 18 th
November 3 rd	November 15 th
December 1 st	December 13 th
January 5 th	January 17 th records day
February 2 nd	February 21 st
March 1 st	March 20 th records day
March 28 th	April 17 th
May 3 rd	May 15 th
May 31 st	June 12 th

NOTE: There is no July meeting.

Questions?

Beginning Of The Year Checklist

CEA Vice President Phil Hayes

Beginning Of The Year Checklist

CEA Beginning Of The Year Checklist

This list is a sample of the beginning of the year activities SFRs and FRs should focus on at the start of the school year. Remember, it doesn't have to be just you doing these things if you're the SFR—don't be afraid to ask for help!

Action

- ☐ Welcome new teachers (to the building)
- ☐ Welcome brand-new teachers to the district, check on membership
- ☐ Conduct CEA elections for SFR, FR or additional Alternate FRs (as/if needed)
- ☐ Solicit members to be a part of ABC (hold election if necessary)
- ☐ Establish dates and times for ABC meeting with administrator

CEA Website

Cindy Love, Webmistress

Questions?