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**
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**
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.
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 the 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*
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 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 ceaohio.org
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?

<table>
<thead>
<tr>
<th>Variance Request Due Date</th>
<th>Reform Panel Meeting</th>
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<tbody>
<tr>
<td>August 4th</td>
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<tr>
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<td>May 31st</td>
<td>June 12th</td>
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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!

<table>
<thead>
<tr>
<th>Action</th>
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<tbody>
<tr>
<td>□ Welcome new teachers (to the building)</td>
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<tr>
<td>□ Welcome brand-new teachers to the district, check on membership</td>
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<tr>
<td>□ Conduct CEA elections for SFR, FR or additional Alternate FRs (as/if needed)</td>
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<tr>
<td>□ Solicit members to be a part of ABC (hold election if necessary)</td>
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<tr>
<td>□ Establish dates and times for ABC meeting with administrator</td>
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CEA Website

Cindy Love, Webmistress
Questions?