

**California School Employees Association
Capistrano Chapter 224**



23431 Knollwood, Aliso Viejo, CA 92656
949-425-1533

April 19, 2012

Jodee Brentlinger
Assistant Superintendent Personnel Services
33122 Valle Road
San Juan Capistrano, CA 92675

RE: CSEA INITIAL PROPOSALS

Dear Jodee:

As required by CSEA Policy, CSEA Capistrano Chapter 224 has surveyed its membership regarding issues they want to have negotiated with Capistrano Unified School District. The following initial proposals were developed as a result of the survey and were approved by the membership on Wednesday, April 18, 2012.

CSEA members are aware that CUSD is facing a budget deficit of up to \$51 million for the 2012-2013 fiscal year. It is our hope that we can arrive at mutually agreeable solutions through interest based bargaining that will help to reduce the shortfall while meeting the some of the needs and desires of our members.

Per the collective bargaining agreement and applicable state law, CSEA Capistrano Chapter 224 submits the following as our initial proposal for negotiations with the Capistrano Unified School District for a three year term beginning July 1, 2012 and ending on June 30, 2015.

CSEA Capistrano Chapter 224 Interests:

Article 3: Hours of Employment and Overtime

- CSEA has an interest in developing a precise and uniform process for the fair and equitable distribution of overtime.
- CSEA has an interest in continuing discussions regarding Article 3.7.1.

Article 4: Grievance Procedure

- CSEA has an interest in modifying the provisions of 4.2.1 to reflect that the thirty [30] days commences within the time frame that the Association had actual knowledge of the conduct giving rise to a contractual violation.
- CSEA has an interest in revising and continuing the mediation step within the grievance procedure.

EXHIBIT 5

- CSEA has an interest in an agreement that includes the binding arbitration of grievances.

Article 7: Transfers and Promotions

- CSEA has an interest in modifying 7.0.1 to promote clarity and fairness in the interview process. CSEA has an interest in promoting clarity in positively defining the clause "...in preference over outside candidates..."
- CSEA has an interest that all bargaining unit vacancies are filled with bargaining unit applicants. Amend entire Article accordingly.
- CSEA has an interest in amending section 7.3.2 to insure unit members get transfers when requested.
- CSEA has an interest in modifying the provisions of Articles 7.9.4 and 7.9.5 to insure that a unit member has a right to a conference with their supervisor prior to a transfer decision being made or any written notice of transfer is created.
- CSEA has an interest in insuring that a district initiated transfer has no material adverse impact on the unit member.
- CSEA has an interest in unit members being provided with at least ten [10] working days in all instances of transfer.
- CSEA has an interest in unit members having an annual opportunity to change their work location.
- CSEA has an interest in employees maintaining their longevity steps while temporarily promoted.

Article 8: Leaves

- CSEA has an interest in modifying 8.2.2 to include "step-child."
- CSEA has an interest in modifying the provisions of 8.3 to include a stipend for delaying jury duty service for a time when school is not in session.
- CSEA has an interest in a continuance of Health and Welfare benefits provided pursuant to Article 12 for unit members on Military Leave.
- CSEA has an interest in conforming the language of Article 8.5.9.1 to mirror the provisions of Education Code section 45196.
- CSEA has an interest in unit members having the right to utilize not less than 1 day of Personal Necessity leave where there is no required disclosure for the use of the leave.
- CSEA has an interest in authorizing unit members to utilize up to a maximum of 50% of their accrued sick leave pursuant to Labor Code section 233.
- CSEA has an interest in restoring the sick leave incentive to reduce absenteeism and increase productivity.

Article 9: Vacation

- CSEA has an interest in 12 month employees receive payment for excess vacation days.

Article 11: Wages

- CSEA has an interest in maintaining the current classified salary schedule and classified unit member wages without reductions of any kind.

- CSEA has an interest in mileage being paid in a timely manner.
- CSEA has an interest in unit members receiving compensation for completion of education at AA level and beyond.
- CSEA has an interest in continuing discussions regarding feasibility of a retirement incentive.
- CSEA has an interest in discussing work year modifications which were implemented in the 2011-2012 fiscal year.

Article 12: Health and Welfare Benefits

- CSEA has an interest in increasing the district maximum contribution amounts to ensure that unit members experience no additional out-of-pocket costs.
- CSEA has an interest in replacing the POS plan with a PPO plan.

Article 13: Association Rights

- CSEA has an interest in incorporating the CSEA Presidential Release Time Memorandum of Understanding into the provisions of Article 13.7.
- CSEA has an interest in creating an orientation program for new employees.

Article 16: Layoff and Reemployment

- CSEA has an interest in amending Article 16.3.2 to reflect that a tie breaker in seniority is total time employed in the district.

Memorandums of Understanding

- CSEA proposes that the parties review all current Memorandums of Understanding and determine those that should be continued and incorporated into the new agreement.

All other provisions of the collective bargaining agreement in force to June 30, 2012 shall remain in full force and effect and shall be incorporated within the provisions of the successor agreement.

The Association reserves the right to reopen on other matters in addition to those set forth above in accordance with the sunshining requirements of Government Code 3547. CSEA also reserves the right to add to, amend, modify or omit proposals above.

We look forward to discussing these items at our upcoming bargaining sessions.

Respectfully,



Ronda Walen

President

CSEA Capistrano Chapter 224

c: Nathan Banditelli, Labor Relations Representative