

**Mt. Diablo Unified School District's
Initial Proposal**

for

Successor Agreement

between

Mt. Diablo Unified School District

and

Public Employees Union, Local #1

(Maintenance, Operations, and Facilities/Transportation/
Landscape/Warehouse/Food and Nutrition Services/
Technology and Information Services/Substitute Custodian
and School Bus Driver Units)

The District proposes no change to the following articles:

Article 1	Recognition
Article 2	Coverage
Article 4	Grievance
Article 8	Contracting Out
Article 10	Holidays
Article 11	Leaves of Absence
Article 12	Bereavement
Article 13	Improvement of Health
Article 14	Industrial Accident or Illness Leave
Article 15	Maternity Leave
Article 16	Military Leave
Article 17	New Parent Leave
Article 18	Official Appearance and Jury Duty
Article 19	Organizational Leave
Article 20	Personal Necessity Leave
Article 21	Religious Observance
Article 23	Family Care Leave
Article 24	Salary Administration
Article 27	Mileage
Article 28	Tools and Equipment
Article 29	Property Damage
Article 30	Apprenticeship Program
Article 31	Medical Examination
Article 32	Discipline
Article 33	Release of Nonpermanent Employees
Article 35	Layoff Procedures
Article 36	Personnel Files
Article 38	Reassignment
Article 39	Reclassification
Article 40	Safety
Article 42	Food Service
Article 43	Transportation
Article 44	Substitute Custodian and Bus Driver
Article 46	Low Level Maintenance
Article 47	Volunteers
Article 48	Application
Article 49	Savings Clause
Article 51	Effect of Agreement
Appendix B	Evaluation Form and Performance Improvement Plan
Appendix C	Informal Conference Summary

The District proposes updating the following articles:

Article 50 - Term

A. Duration

The District has an interest in negotiating either a one-year successor agreement covering 2013-2014 only or a three year successor agreement that includes specific and detailed reopeners based on mutually agreed upon base revenue limit changes or material changes by the State to the public school funding model.

B. Successor Agreement

Update successor agreement proposal dates

Appendix A - Salary Schedule

Update Appendix A to reflect any salary settlement changes

The District proposes changes to the following articles:

Article 5 - Hours of Work

Allow either party to withdraw mutual agreement from the ten (10) hour per day and four (4) consecutive day work week upon a ten (10) day written notice. Discuss work hour assignment for School Bus Driver/Instructor and School Bus Driver/Delegated Driver.

Article 6 - Overtime/Scheduled Extra Work

Employees accepting custodial/maintenance/landscape extra work are expected to remain on the worksite for a minimum of four (4) hours and perform the work assigned. If it is expected that the work assigned can be performed in less than four (4) hours, he/she shall perform additional work as assigned by the supervisor.

Article 7 - Call Back Time

Employees "called back" as described in Article 7 are expected to work the full four (4) hours unless directed otherwise by the supervisor at the time of the call back.

If the "call back work" is estimated to take less than four (4) hours, the supervisor may assign additional work or the unit member will be paid at the appropriate rate for the time actually worked.

Article 9 - Vacation

No more than 50% of the custodial staff shall be allowed time off at the site at any time during the school year; or 10% of the custodial staff district wide.

Remove ability for custodians to consistently take Fridays and Mondays off for any duration. This creates staffing difficulties. This needs to be enforced during regular school year and summer school days.

Custodians should schedule summer vacation with the District Custodial Supervisor or Area Facility Manager to ensure each site receives a complete and comprehensive cleaning. It is recommended that custodians not be allowed to take more than two weeks vacation during the summer cleaning schedule.

Article 22 - Sick Leave

Discuss and develop reporting procedures and timelines for ongoing or continuous absences.

Delete "in order that any employee filling the position on a substitute basis may be terminated" in Section B.

Insert the term "excessive" into verbiage throughout the contract as it applies to absenteeism and define excessive for sick leave and personal necessity.

Article 24 - Salary Administration

Formalize and memorialize the concept of "assignment out of classification." Discuss "out of classification" as it pertains to temporary assignment to a lower classification.

Discuss and formalize management's prerogative in assigning work to and evaluating performance of individuals who enjoy "assignment out of classification." Discuss consequences of poor performance by an individual working "out of classification."

Review job descriptions, procedures and pay schedules for employees who are concurrently working "out of classification" in more than one classification or who may be assigned a "temporary promotion" and be working in an "out of classification" status simultaneously.

Articles 25 and 26 - Salary and Employee Benefits

District wishes to develop a compensation package which meets both parties' interests and needs and maintains District fiscal solvency now and in the future.

Continue to discuss alternatives by which both parties can share in controlling the effect of the increasing cost of medical benefits.

Discuss retiree benefits and cost controlling options.

Article 34 - Evaluation

Discuss possibility of evaluating employees on an annual or two-year cycle based on school year timeline except during probationary or promotional situations.

Article 37 - Promotions

Consider adding a single rating of "Needs to Improve" or a single rating of "Unsatisfactory" as a basis for ineligibility to apply for promotion.

Article 41 - Transfer

Review transfer language to include specific criteria beyond seniority for selection for transfer.

Consider adding the general rating of "Needs to Improve" to the existing general rating of "Unsatisfactory" as a basis for ineligibility for transfer.

Finalize alternatives for posting transfer opportunities.

Article 45 - Custodial Extra Work (Guidelines for)

Discuss consequence of work sheets submitted for work not authorized by Custodial Supervisor.

Replace all references to Custodial Supervisor with Area Facility Manager.

Delete reference to school sponsored groups not needing a use permit. All user groups should be required to put in a use permit.

Delete Custodial Supervisor I and II from overtime rotation.

Discuss process for delivery and pick up of keys when custodians are assigned to work at sites other than their own.