



Benefits Committee Update

In the last round of negotiations, AEA and the District agreed to participate in a joint benefits committee. The purpose of the committee was to examine our medical benefits and determine if there are other options that save money while providing the same level of care. The District has said that any savings generated by changes to medical benefits would be put into AEA salaries.

Current benefits for active employees

For active employees, we have medical plans (Kaiser, Anthem Blue Cross HMO, Blue Shield, PERS PPO plans) that are administered through CalPERS (California Public Employees Retirement System). CalPERS contracts with the plans and sets a rate for each plan at each level (single, two-party, family) each year. The AEA contract has traditionally been tied to the Kaiser rate. If you are on a plan that is more expensive than the Kaiser rate, you must pay the difference. If you are on a plan that is less expensive, your benefits are fully paid for. We also have basic dental and vision plans that are administered separately.

Current benefits for retirees

For qualifying retirees, the District offers benefits at the Kaiser single or two-party rate for up to five years or until they become Medicare eligible at age 65, whichever comes first. Once on Medicare, most people purchase a supplemental insurance plan to help cover things like co-pays and deductibles. Because we are in CalPERS for our medical insurance, we are required to contribute a monthly amount for those that purchase a Medicare supplement plan through CalPERS, (currently \$128 per month) until death. Currently the Kaiser Medicare Supplemental insurance through CalPERS is about \$300/month; meaning retirees on this plan have to pay approximately \$172/month out of pocket. Retirees who notify the District of their intent to retire by February 1st also receive dental and vision benefits for five years or until the retiree becomes eligible for dental coverage through any employer, retirement/pension program or government dental coverage program.

Challenges and potential for savings going forward

After several meetings where we reviewed various options, the committee has narrowed the choices going forward to either staying with CalPERS or switching to Self Insured Schools of California (SISC), another large risk pool composed of hundreds of California school districts operated by the Kern County Office of Education. SISC, like CalPERS, administers various plans, many almost identical to what we currently have through CalPERS. Their past financial history shows more stability in terms of costs and yearly increases when compared to CalPERS.

The biggest challenge facing the committee is the District contribution to retirees for their Medicare supplemental plans. The District is required to account for this subsidy for every retiree and any active employee who may qualify for it, and report this as a liability on its balance sheets. The District has set up a special reserve fund and is funding this liability. You may have noticed an item called "OPEB (Other Post Employment Benefits) Contribution" on your pay stub. This is the contribution the District is making into that reserve fund on your behalf each month. AEA differs with the District as to how to manage the liability, but it was the primary reason local newspapers refused to endorse the most recent parcel tax initiative. This has left the District gun-shy about going out for more local funds, something desperately needed due to the low level of state money the District receives.

Thus, though complicated, there is potential for changes that benefit everyone – retirees end up paying less for their Medicare supplemental insurance, the District significantly reduces or eliminates the liability on its balance sheets making a local parcel tax more likely, and active employees see the savings and new revenue translated into higher salaries and a higher STRS pension while keeping the same (or better) medical insurance.

We are near the point where AEA and the District move from the research phase to negotiating the specifics of how a potential change in benefits would be structured. Any agreement would then need to be ratified by the membership. If you have questions, please talk to any of your negotiators or representatives on the committee.

***The Next Rep Council Meeting is Wednesday, April 26th
at Acalanes. All members welcome to attend.***

Employee Discipline – You Think It Will Never Apply To You

What you still need to know and understand

We have a progressive discipline article in the AEA contract that allows for discipline only for just cause. Under progressive discipline, a member gets a written warning for a first offense. If similar conduct is repeated within eighteen (18) months, a member would get a second written warning. If the conduct is repeated again within the next twenty four (24) months, a member would progress to written reprimand. Written reprimands remain in effect for four (4) years. Suspension without pay for similar conduct may follow a written reprimand. A suspension is also operable for four (4) years. After the timeline for each step of the article has expired the discipline may not be referenced in future discipline. In addition, once expired, a member has the right to request that the evidence of the discipline and the discipline in the employee file be sealed and only viewable by subpoena or court order. AEA negotiated these procedures over ten years ago as a way to protect AEA members and allow them to correct mistakes before more serious discipline is pursued. Progressive discipline does allow steps to be skipped but only, “where the serious nature of the alleged conduct justifies bypassing the steps.”

So, what kinds of things are people being disciplined for? There are a few “no-brainers” like habitual tardiness, inappropriate language in the classroom or with colleagues, not following an administrative directive, etc. Members may also be disciplined following parent or student complaints if the site or District investigation shows there is justification. The bar for being disciplined after an investigation is sometimes lower than one would expect, often with evidence that relies on conflicting testimonies. In most cases, when an AEA member receives a warning about certain conduct and the member makes the needed corrections no further discipline occurs. Occasionally, when something more serious occurred, steps were skipped. However, the District had to show just cause in order to justify that the discipline was appropriate.

In addition to progressive discipline, there is a provision in the discipline article of our contract that allows the District to use their Education Code rights of issuing a 45-day Notice of Unprofessional Conduct (NUC). A NUC is a mandatory step prior to starting termination proceedings in cases where offenses are very serious, although pursuit of termination by the District need not follow issuance of a NUC. In recent years there have been two instances where the District has issued a NUC for offenses that AEA believes could have been handled under progressive discipline as a written reprimand or lower. AEA views the NUCs as a more extreme option because the notices stay in your file indefinitely (although only operable for four (4) years) and do not follow the steps of progressive discipline in our contract. And while AEA has grieved these NUCs, we have settled at mediation because, technically, we don’t have the right to grieve a NUC, because grievances are for contract violations and a NUC is governed by the Ed. Code. We hope the District is not changing their past practice of abiding by the progressive discipline article of contract and that NUCs continue to be used sparingly.

Fortunately, the vast majority of us will never get disciplined. But, if you are called down to a meeting with an administrator, remember to ask what the meeting is about and if you feel uncomfortable or uncertain, contact an AEA rep. If you are told that there is an investigation based on a complaint, again contact an AEA rep. AEA can be there when you are questioned and help you navigate the process. AEA can also connect you with an attorney (this is free because you are an AEA/CTA member; fee payers are not entitled to free representation by a CTA attorney) if the situation warrants it. It is always important to remember your rights of due process and representation.

CTA/IFT Grant – Deadline April 30, 2017

Do you dream of doing a big project that will benefit student success and the community around us? Consider applying for a CTA/IFT Grant! The Institute for Teaching (IFT) is a part of California Teachers Association (CTA) that revolves around teacher driven change. Since you already show such dedication and creativity by providing learning opportunities for students, consider how a \$5,000 - \$20,000 grant could help create a project that could impact learning and expand family and school relations. This grant application can be found at www.teacherdrivenchange.org and is due on or before April 30, 2017. All grant proposals should include the 7 factors of the strength-based matrix also found on the website. These 7 factors are:

- Student Centered
- Future Oriented
- Work Oriented
- Student Relations
- School-Wide Relations
- School-Family Relations
- Results Oriented

Contact Nick Carpenter ncarpenter@acalanes.k12.ca.us for approval of your project and grant application or Sarah Morgan smorgan@acalanes.k12.ca.us for more information on how to apply.