



DATE: April 21, 2009

TO: Dr. J. Brian Sarvis, Superintendent

FROM: Dr. Kristine Robertson, Director of Personnel
Elaine Alvarado, Classified Personnel Coordinator

RE: Acceptance Of The Memorandum Of Understanding (MOU) Between The Santa Barbara School Districts And California School Employees Association (CSEA) on the effects of classified employee layoffs

Background

As a result of site administrators, recommendations were approved by the board on March 24, 2009, to reduce hours or eliminate positions due to lack of funds. The District entered into negotiations with CSEA to discuss the effect of the layoffs.

Depending on seniority, some employees may have re-employment rights to other similar positions in the districts. Those with less seniority were provided notice of layoffs prior to the April 29, 2009 deadline date.

In addition, this MOU stipulates that the work impacted by the recommended layoffs or reductions, will not be transferred to other bargaining units or volunteers.

Current Status

The MOU is attached; CSEA plan to ratify this MOU at their next chapter meeting in May, 2009.

Cost

Not applicable

Recommendation

That the Board of Education accept the memorandum of understanding (attached) regarding the 2009-2010 classified employee layoffs and/or reduction of hours.

Adams Elementary School
Cesar Chavez Charter School
Cleveland Elementary School
Franklin Elementary School

Harding Elementary School
McKinley Elementary School
Monroe Elementary School
Open Alternative School

Peabody Charter School
Roosevelt Elementary School
Santa Barbara Charter School
Santa Barbara Community Academy
Washington Elementary School

Goleta Valley Junior High School
La Colina Junior High School
La Cumbre Junior High School
Santa Barbara Junior High School

Dos Pueblos High School
La Cuesta Continuation High School
San Marcos High School
Santa Barbara High School

**MEMORANDUM OF UNDERSTANDING
EFFECTS OF CLASSIFIED LAYOFFS
2009-2010**


The Santa Barbara School Districts (District) and the California School Employees Association and its Chapter #37 (CSEA) have met and negotiated fully and completely the effects of classified bargaining unit layoffs for the 2009-2010 fiscal year. The Parties have agreed as follows:

A. Reemployment Rights

- 1) In addition to the entitlements and benefits guaranteed to a laid off unit member which are codified in "Layoffs" Article XIII of the Parties' collective bargaining agreement, a member electing to accept layoff shall also be entitled to be notified of any vacancy which may become open in any classification regardless of the member's lack of prior service in that particular classification for the member's duration on the 39 month reemployment list;
- 2) Further, provided a member meets the minimum qualifications of the vacancy as expressed in the relevant job description, he/she shall have the first right of placement into that vacancy over any other applicant;
- 3) The District and CSEA shall incorporate the above provisions into the text of Article XIII during 2009-2010 contract reopener negotiations;

B. Transfer of Unit Work/Workload

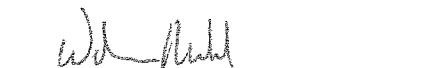
- 1) Consistent with the provisions of the Parties' "Recognition" Article II and Education Code Section 45103, the District recognizes its obligation in law not to contract out, transfer or otherwise allow the performance by non-unit personnel of those duties previously performed by laid off classified unit members, including the use of volunteers, without the prior written consent of CSEA;
- 2) Upon identification of any/all violations of the above obligation at any district site or department, the District shall cause the violation(s) to cease and shall within sixty (60) days forward to CSEA Chapter #37 a sum equivalent to the service fees which would otherwise have been assessed had the performance of unit duties not been transferred outside the unit;
- 3) Remaining active staff at sites and in departments affected by the 2009-2010 layoffs shall not suffer from either workload increase or negative evaluation due to a shortage of staff because of layoffs and/or reductions. Upon request, any unit employee shall be granted assistance from the CSEA to address his/her workload with his/her supervisor, e.g. prioritization of duties, etc.



For the Districts

4/7/09

Date



For CSEA #37

4/7/09

Date