Draft Minutes of

The East Aurora Council of the AFT Local 604

November 28, 2022

3:45 PM via Zoom

In attendance: Arlette Gomez, Aviva Pollack Paradise, Airen Freese, Amy Van Cura, Alan Scott, Alison Mann Nile, Becky Roireau, Christy Harding, Cin Citro, Carrie Snyder, Claudia Ruiz, Eileen Pasturczak, Gerry Mestek, Janel Jaros, Jon Kuehl, Jan Kolodziejek, Jessica Fisher, Jennifer Gentile, Jeffrey Mleczko, Karen Mueller, Lisha Pauli, Melinda Thomas, Michelle Taylor, Mary Taylor, Patrick Bednarik, Pamela Miller, Stephanie Paul, Sandra Williams, Tim Snyder, Victoria Haier

Building Representatives, Executive Council Officers, or Senators Not In Attendance: Angie Sanchez, Alba Hernandez, Beth Cotter, Brittany Peterson, Beth Eadens, Catalina Saenz, Dulce Jonsson, Dawn Stanfa, Elaine Halleran, Fatima Ballesteros, Gloria Salinas, Geoffrey Adler, Henry Johnson, John Burkhalter, Jeff Hansford, Julie Melendez, Julie Schmale, Judy Durham, Joyce Ladewig, Kaliegh Soumar,Kim Stolpestad, Lisa Samp, Lorraine Garciacano, Mary Carol Smith, Mara Clucas, Michelle Hanna, Nicole Connoly, Rhonda Bass, Stacey Martin, Trevor Schrage,

Becky: We are here for two reasons. We have our retirement MOU and our tuition reimbursement MOU. The first step is to bring it to the House of Delegates, we vote on it, afterwards it goes to the general membership.

I’m going to share the MOU itself.

President’s Report

- Retirement Benefit

Becky: We’ll go through paragraph by paragraph, then I have a Powerpoint.

BECKY READ THE 1ST PARAGRAPH.

I see one mistake that didn’t get fixed. Where it says clerical, it needs to say support staff. Sandra pointed that out early on.

BECKY READ SECTION 1 AND 2.

That is the legalese. Now we get into the meat and potatoes of it.

BECKY READ 2A.

The 6% is divided. 3% in September and 3% in June.

Melinda: Does that mean if someone decides to retire in October, they only get the 3%?

Becky: You have until February, so they’d retro it 3% and 3%.

Gerry: Is 3% on what amount?

Becky: All your creditable earnings.

Gerry: If a person has a base salary of $100,000, they'd get an additional $3,000 and at the end of the year another $3,0000, for a total of $6,0000.

Becky: Yes.

Jan: The creditable earnings are from the year before. There is no projection of anything. Whatever you earned the year before, subs, professional development, everything.

Can't we petition, can it be a separate check? Once it is tacked onto our salary, the taxes would be astronomical. It would be like making double the amount. We'd get it back eventually but Uncle Sam would have it.

Becky: We can look into that.

Jan: ESSER is in a separate check. You know what those taxes are like. I do know that getting 3% on September 15th, you are getting 3% way up front, and that might offset the amount.

Gerry: Using the $100,000 example, for September you'd be taxed on $3000, then the following it would be the 6%. Is that compounded over the course of four years?

Becky: You get 24%.

Gerry: That still hasn't changed.

MELINDA ASKED FOR CLARIFICATION.

Becky: It is based on the last year. All lumped in the 6%.

Aviva: So, if we put in our notice over the summer, is it still based on the last year?

Becky: You know how you have staggered times, the base year would be the prior year.

Jan: That is mandated by the state.

Aviva: Even if I put it in in June, it is still last year? 6% up from this year?

Becky: Yes.

Aviva: Do we know when we're getting our raises?

Becky: If the HOD says yes, we have ten days to bring to the general membership, then we have our meeting, then Dr. Norrell would try to have a special board meeting so we can have both MOUs done before break.

Jennifer Gentile: December 12.

Amy: Are we allowed to attend PD, get paid again? Sub, and get paid again?

Becky: I'm going to keep reading the MOU. It explains later.

Jennifer: Norrell wants to have meetings with retired teachers before break, using a SIP day, it is important for each retiree to have a meeting, and you can correct them if they are wrong.

Becky: A SIP day and each person will have an individual plan.

Melinda: Is it based on the 1st year or compounded?

Becky: Compounded.

Gerry: The numbers haven't changed, the distribution is just half and half.

Becky: The big win is on all the creditable earnings. The 6% on all creditable earnings is a huge win.

Mary: I hope I get to see some of that.

Jan: I agree with you, Becky. But it is only good on creditable earnings if you do a lot of stipends, PD, and sub a lot. If those opportunities are not available to you, it is really negligible. I don't have any stipends and I sub a minimum. But it is great for those who have those opportunities.

BECKY READS.

Becky: When you hit your 6%, you can go to PD, but you won't get paid. You can do all those things, but the 6% is in lieu of all of those things.

Jan: Can you refuse subbing?

Becky: It is a total amount. You just have to keep doing what you've always done.

Jan: And you have a little bit of wiggle room from year to year.

Becky: Someone could do PD instead of subbing?

??: Some asked today whether it was even worth doing the 6% if they weren't going to get paid for PD and all that.

Becky: It may not be the best for you. It is a personal choice.

Melinda: It does lock you in.

Becky: You can still retire whenever you want. If you do this, you are locked in.

Michelle Taylor: So, is it worth it?

Melinda: Most of us are not getting 6% increases per year. The idea is to give you that bump so you get it.

Basically, Dr. Norrell said, if you do 100 sub days, they're adding the 6% on top of that, then the staff member has to use the honor system that you still do those.

Becky: Or to make it up another way, like PD.

Melinda: They won't take the money back. But like with subbing, you've been paid for it in advance.

Jan: That is not at all logical, what Dr. Norrell said. Think of subbing like a stipend. You are being paid 6% on the stipend for the next year.

Becky: You have to continue to do what you've historically done.

Jan: This is not an honor system. Think of a stipend. If you have a stipend in your base year, then a 6% bump on that the next year, if the next year you don't do the stipend–

Melinda: Theoretically, if something happened and you stopped doing the stipend-

Becky: You'd have to make it up. PD or subbing to make up that difference.

Jan: What if you get sick? You put in your time as a teacher. Where you get affected is the following year. Your next year's creditable earning will be less.

Jennifer: Not true.

Melinda: Let's go through with the rest of this.

Michelle: I'm concerned about the words "honor system."

BECKY READ MORE OF THE LANGUAGE.

Becky: It clearly says, the employee must continue doing what they've done before or the monetary equivalent.

BECKY THEN READ THE EXAMPLE FROM THE LANGUAGE.

Jan: I don't understand why.

Becky: You'd get a reduction.

An employee who does equivalent work must submit timesheets…team, how much?

Jennifer: Once a semester.

Becky: For example, subbed ten times, dah dah.

BECKY READ MORE.

Jan: Basically, if you want to keep that higher 6%, you have to perform those duties, but if you don't want to, don't. All it will reduce is your next year's total raise. There is no makeup work, you can. What I don't understand, why are we mandating that those creditable earnings must be replaced?

Someone gets cancer. They can teach. They were a coach on their baseline year. They can't make it through, they have to quit. This contract says you are forced to do it.

Becky: No, it just says it will result in a dollar for dollar reduction in that 6%.

Jan: They'll figure it on the creditable earnings on year 2. Why does she want it validated with the timesheet?

Becky: The timesheet is for those who want to make it up. So there's some flexibility. If a stipend goes away, that member can make it up. Those who don't want to do so, they can take the reduction.

It is a total dollar amount. You can figure it out.

Jan: That timesheet might not necessarily help our members. I don't really see a point for it.

Becky: We tried to get rid of it.

Jan: What is she afraid of?

Becky: What happens to people who have been doing things, then that is taken away from them. The idea of flexibility-

Jennifer: That was us. Sometimes they evaluate you out of a stipend, and you are in the retirement tunnel, and you can keep a stipend on your creditable earnings, you can do other things so you don't lose that money. So they don't evaluate you out of some of these high end stipends.

Becky: Or evaluate you out of a stipend and then say, oh you have to sub now.

Pamela: When we were short staffed, it left the building short staffed.

Sandra: For support staff, all of our raises are like 5%. If we choose that 6% cap, it might mean making less money. It is really something you might want to consider. For me, I decided not to do it. With the ESSER fund, that would be a couple thousand dollars you might need to make up. It is not worth it as a support staff.

Becky: Talk to IMRF or TRS, right Sandra?

Sandra: When IMRF calculates, it might be better for us to work as much as we can, we might not want to be capped.

Alison Nile: If you have a stipend and you are a 6%, they can't take it away from you?

Becky: Yes.

Alison: Is this a way to make people sub?

Becky: This was our big fear. Once they are in the 6%, they are in a protected class.

Alan: But Dr. Norrell said that they can be asked to sub, "In the event of an emergency." But who defines what is an emergency? There is some ambiguity there.

MARY TRIED TO TALK BUT SHE WAS CUTTING OUT.

Melinda: Can you type your question, Mary?

MARY CONTINUES TO TRY TO TALK BUT IT DOESN’T WORK.

Melinda: I think she’d gone.

BECKY KEPT READING.

Becky: The ESSER bonus is supposed to go into an escrow account. But Dr. Norrell has decided to pay retirees this year with everyone else. But next year it will go into escrow. The reason being it would go over the 6% and cause penalties.

BECKY READ MORE LANGUAGE.

Becky: This just means it is the final agreement of the parties.

Gerry: Can we back up to B? On the ESSER, they are going to pay it out this year. The following year, how will we know at the end of that time we aren't getting shortchanged?

Becky: That would be part of that statement.

Jennifer: That meeting with you, it will be on that sheet.

Gerry: There will be some variability about how they are going to do that, but they won’t know the amount.

Becky: We won’t know. There is just one more year of ESSER.

Carrie: We are voting tonight, how long will the membership have? There are a lot of questions. We don’t want to rush this.

Becky: December 8th is our open meeting. It will be posted now. On the website, to personal emails, then our open meeting.

Carrie: And the vote happens on or before the 12th?

Becky: We can delay it. But then it will come after Christmas.

Sandra: The suggestion is to do electronic voting.

Carrie: They come on the 8th with some questions, then they vote on the 9th? We’re saying, we’ll show them all the info.

Sandra: Can you clarify for me, the House of Delegates would have to vote, then when would we share it to members?

Becky: It could go to Google Classrooms tonight. Emails tomorrow. Immediately. But we don’t have to. But the idea is that they’ve been waiting so long, and the idea was to get them some relief. But we don’t have to if we agree that we need to move slower.

Carrie: I’ll leave that to those who are part of the board who are retiring. What do they feel?

Maybe we can take two separate votes. Approve the language and approve the timeline?

Jennifer: The timeline is in the constitution.

Gerry: How does this MOU substantially change the CBA? It only affects 55 individuals?

Becky: 102.

Gerry: Not everyone. It's not changing the salary schedule for everyone. Does it need to go to the entire body?

Becky: We consulted the IFT on it, because it is changing the language in the contract.

Jan: It affects even those who are retiring in the future.

But my question is this, how will this be cleaned up for this year? 23, 24, 25, and 26? How is that 3% and 3% going to be rectified? I'm going to lose money on my paychecks?

Jennifer: That is why we'll have those meetings. Everyone is going to be different.

Jan: They'd have to show us how they're calculating this. Someone might take a hit or some will get more. We're going to take a hit in each paycheck.

Michelle: So these meetings are required? Is there a deadline?

Jennifer: We were shooting for the 16th so the retirees could do it instead of PD.

Michelle: Everyone would have to do it that day?

Becky: No. It is all determined by our passing an MOU.

Michelle: If we do pass it, is there a deadline that they'd need to be finished by.

Melinda: Before the February deadline.

Michelle: How much time are people going to have to schedule their meetings before the deadline? It seems if there are 102 people, that's a lot to get in. Who do they have to meet with? That's a lot.

Becky: Good point. Thank you.

Jan: Is this escrow fund going to be with interest?

Becky: Most escrows are not interest bearing.

Jennifer: They're not.

Jan: That's a little bit of a ripoff there. Others get to use it now.

Jennifer: The way things are written in the contract now, they wouldn't get ESSER at all.

Melinda: So this is way better than the alternative.

Jan: How close is this MOU to other district's retirement CBAs?

Becky: Pretty close. We'd have loved to have had 6% not 3% and 3%. But the big difference is the staggered notice. We have this weird staggered.

Jan: Is the 3% and 3% anywhere else?

Becky: It's a failsafe so someone doesn't pick up more stipends so they go over their 6% and the district gets fees.

A lot of people will have been denied work, so things moving forward will be better for them.

Gerry: The timeline of turning in the request, some people have turned that in and then got their bump for the current calendar year. Are they going to take that raise out and then pay the 3%? If your frozen salary is $100,000 and you turned in your request, you already for your raise, will they take it out?

Jennifer: They're going to work it so it's 6%. The district didn't do it right last year so they got huge penalties. We were just trying to make sure to protect the retirees moving forward. I didn't think they're going to take any money away, but you may get less money moving forward.

Melinda: The new MOU compared to what is already in the contract, is it punitive to anyone or is it neutral or beneficial.

Becky: Neutral or beneficial.

Jan: We won't know until we get down to the nitty gritty numbers. It gets complicated and it is an individual thing. I guess it benefits those who will not get ESSER who weren't before. Creditable earnings is a big win for those who sub and have stipends or PD.

Becky: I know my raises aren't anywhere near 6%. If I was a support staff like Sandra, I'd take a hard look at the salary schedule.

Jan: Tax money, the government keeping your money, I don't like it getting tacked onto your paycheck.

Alison: We have another MOU. How should we proceed?

Pam: Can I say something? As support staff, it is a better deal, with the added subbing, it helps. It does no hard to pass this through.

Christy: It has been an hour of discussion on this MOU. Lots of good points have been raised on all sides. I'd like to raise a motion to vote.

Pamela Miller: Yes.

Amy Van Cura: Yes.

Gerry Mestek: Yes.

Stephanie Paul: Yes.

Karen Mueller: Yes.

Aviva Pollack Paradise: Yes.

Eileen Pasturczak: Yes.

Airen Freese: Yes.

Victoria Haier: Yes.

Michelle Taylor: Yes.

Alison Nile: Yes.

Christy Harding: Yes.

Jon Kuehl: Yes.

Jan Kolodziejek: Yes.

Jessica Fischer: Yes.

Melinda Thomas: Yes.

Sandra Williams: Yes.

Mary Taylor: Yes.

Patrick Bednarik: Yes.

Lisha Pauli: Yes.

Jeff Mleczko: Yes.

Carrie Snyder: Yes.

Jennifer Gentile: Yes.

Motion that retirement benefit language be shared with the membership for an MOU vote: Christy Harding, ?? – Approved. Pass, all. Nays, 0. Abstains, 0.

- Tuition Reimbursement

Becky: PUTS UP PRESENTATION. READS LANGUAGE.

Any questions? $260,000 total pot for tuition on or before May 31st. There was a last call.

Pam: This does not include summer school?

Becky: No. Everything after May 1st will be on a cycle. This is just for tuition on or before May 31st?

Michelle: How do we know this is enough?

Becky: We have this information. We’re going to need to double check, though.

Michelle: We anticipate this is enough to cover everyone who documented appropriately?

Becky: Yes. They have the totals and it doesn’t exceed $260,000.

Melinda: The last sentence says "paid by the employee or to the employee?

Becky: They'll get reimbursed up to $200. It's standard from our current contract.

Gerry: This $260,000 is only for those covered by the CBA. Does it include admin?

Becky: The list I received only has members.

Jeff: And this stems from a grievance so it only covers union members.

Jan: In response to the all-staff email, does that mean if I put in in April but didn't respond to the email, I'm going to be disqualified.

Jeff: I haven't been in the conversation since June, but the email was asked to submit everything that was owed. If they didn't respond they probably won't be included.

Jennifer: They had a deadline they had to meet. I haven't heard of anyone who missed the deadline.

Jan: I know someone. NAMES MEMBER.

Becky: She's on the list.

Melinda: The email says, we are asking to identify any outstanding course approvals you have that haven't been paid.

Becky: READS MORE LANGUAGE.

Moving forward, everyone is eligible for 9 credit hours. They can do more, but they'll only be reimbursed for 9. Every contract year will be a stand alone.

Melinda: If the money runs out, will it roll over?

Becky: SOL. One of the reasons money would run out is because they were paying out from previous years. With 9 per year per employee, the chances of running out are lowered.

??: How will they determine the order? Will we get a timestamp?

Becky: Can you just guarantee, but the problem is that people submit courses but don't take them. So final approval happens when you submit transcripts.

??: How are they going to keep track of the order that the documentation came in? There was concern that people were turning stuff in but they weren't getting reimbursed because they didn't know where they fell on the list, some got reimbursed, some didn't, they didn't know where they fell on the list.

Becky: My understanding is that if the provisions are followed, they have to respond within a set time, it should run smoothly. But we know that HR has not run smoothly in the past.

??: We have to remain vigilant.

Becky: People's transcripts are lost. Right now, the person handling it is very competent. But there’s no guarantee they’ll be there in the future.

Jeff: Michelle, you are right of the processing being very suspect and disorganized. This MOU is more about trying to get them to change their past practice. They wanted to stop paying old tuitions but we said if they are going to do that, they’d need to pay everyone out. We tried to streamline the process during contract negotiations.

Michelle: It sounds like this MOU is pretty cut and dry. They’re fixing up what they messed up. Can we move to vote on this?

Jan: People put in for their 9 hours and get approved, they will not stop approving it?

Becky: Correct.

Jan: You’ll have people vying for the money, how quickly can you get your transcript in.

Another question: There was an SEL program that was one year, 18 credit hours, all in one year, district approved. We are cutting out such programs.

Becky: We talked about this at our last U-S meeting, Jen, Claudia, do you recollect what was said?

Claudia: 9 is 9 is 9.

Melinda: Ultimately it comes down to, do we feel that this money should be used to pay for someone’s entire masters program.

Becky: Where I was working, it was clear that it was 9. It has been unevenly applied through the district. Clearing the books is a gift almost.

Melinda: If we vote for this, we need to sell this to our members. What are the benefits? A shorter line. Your odds of getting paid that year are substantially higher. But if they don’t get to you and the money runs out, you are SOL.

Sandra: At the meetings we’d asked, oOnce the courses are approved would they put aside that money…

Becky: Because some people might submit a bunch of courses at once but not everyone takes all those classes.

Melinda: When I was in a program, I submitted all my courses at once, but because I was going to do them all in one year, but because I wanted all my courses approved.

Jan: What is it like in other district for their tuition reimbursement programs?

Becky: If they had a push for something, if it is mutually beneficial, they might come to the unit to say that this is something we can all benefit from.

The purpose of this is to clear the books and to get 9 is 9.

Jan: If that was something that was acceptable in the past, and the new superintendent wants it different, that doesn’t mean it is wrong.

Sandra: But some understood that 9 is 9, but others applied to get paid for past years. It was an uneven understanding throughout the district.

Becky: This was not a member problem. It is just to clean things up.

Claudia: If you had an 18 hours program, would you recommend you only submit 9 credit hours a year?

Melinda: You can still get lane advancement.

Becky: It has to do with when you take them.

Melinda: In the future it will be between June 1st and May 31st.

When would they have to be submitted by? June 30th? A deadline?

Becky: During that time frame. When you read the language, the key part is when the coursework was completed.

Melinda: September 15th deadline, as always.

Pamela Miller: Yes.

Amy Van Cura: Yes.

Gerry Mestek: Yes.

Stephanie Paul: Yes.

Karen Mueller: Yes.

Aviva Pollack Paradise: Yes.

Eileen Pasturczak: Yes.

Airen Freese: Yes.

Victoria Haier: Yes.

Michelle Taylor: Yes.

Alison Nile: Yes.

Christy Harding: Yes.

Jon Kuehl: Yes.

Jan Kolodziejek: Yes.

Jessica Fischer: Yes.

Sandra Williams: Yes.

Melinda Thomas: Yes.

Lisha Pauli: Yes.

Mary Taylor: Yes.

Patrick Bednarik: Yes.

Jeffrey Mleczko: Yes.

Carrie Snyder: Yes.

Jennifer Gentile: Yes.

Motion that tuition reimbursement language be shared with the membership for an MOU vote: Mary Taylor, Melinda Thomas - Approved. Pass, all. Nays, 0. Abstains, 0.