

The Path Forward

<u>Issue</u>	<u>LAUSD Prior Position</u>	<u>Factfinding Recommendation</u>	<u>LAUSD Concession</u>
Salary	3% 2017-18; 3% 2018-19; 12 hours of staff development	3% 2017-18; 3% 2018-19; no 12 hours of staff development	Accept factfinding recommendation
Class Size	Reduce class by four students in core subjects in 15 of highest need middle schools and 75 of highest need elementary schools according to the Student Equity Needs Index	District commit 1%-3% to recruit additional teachers and staff to reduce class size and increase access to other professional services Parties to come to agreement on how to cost additional staff Parties to agree jointly which classifications should be hired with this additional money (teachers, librarians, etc.)	Accept factfinding recommendation (an amount between 1% and 3% towards class size reduction)
Article IV-UTLA Rights	Confirm rate of reimbursement by UTLA for release time	Status quo	Accept factfinding recommendation
Article X-A-Discipline	Add suspension to list of discipline that makes teachers ineligible for additional pay options	The District should drop this proposal	Accept factfinding recommendation
Article XI-B-Master Plan	Single date of eligibility for salary differentials	Drop this proposal	Accept factfinding recommendation
Article XII- Leaves of Absence	May instead of shall for granting of half-time leave Applications for leave to be submitted by March 15 in lieu of April throughout Article	Drop this proposal	Accept factfinding recommendation

Article XIX- Substitute Employees	No on UTLA proposal to provide to substitute grade, subject matter, location, address of the assignment, and whether the assignment for general education or special education in advance	Agree to information provided regarding substitute assignments	Accept factfinding recommendation
Article XX- Summer/Winter Session	Include best interest of instructional program as an exception to the general criteria for selection of summer/winter sessions, extended learning sessions, and displacement	Drop this proposal, maintain status quo	Accept factfinding recommendation
Article XXXI- Miscellaneous	No to providing itinerant employees a confidential workspace	Agree to the Union proposal based on space availability at each site	Accept factfinding recommendation

From: Samples, Robert A
To: [Jeff Good \(jgood@utla.net\)](mailto:jgood@utla.net)
Cc: [Arlene Inouye \(ainouye@utla.net\)](mailto:ainouye@utla.net); [Alex Caputo Pearl \(acaputopearl@utla.net\)](mailto:acaputopearl@utla.net) (acaputopearl@utla.net); [Murphy, Kristen](#); [Beets, Gifty](#); [Li, Lisa \(lisa.li@lausd.net\)](mailto:lisa.li@lausd.net); [Wynn, Shiwonda](#); [Corrales, Karl Frederick S.](#)
Subject: RE: Further Request to Resume Bargaining
Date: Wednesday, January 2, 2019 3:43:19 PM
Attachments: [LAUSD Email to UTLA 12-28-18.pdf](#)

Dear Jeff:

Yes, this was an offer. In my December 18, 2018 email to you, we asked UTLA to resume contract negotiations, and UTLA declined. Again, in my email from December 28, 2018 (below and attached), we asked UTLA to resume contract negotiations and again UTLA has not agreed.

I've highlighted below the requests from those prior emails for your convenience.

Dec 18, 2018 - From LAUSD

"LAUSD is willing and able to resume bargaining, and invites UTLA to return to the table. Please let us know by end of day Wednesday as to whether UTLA will resume bargaining and, if so, provide proposed dates and times."

Dec 19, 2018 - From UTLA

"UTLA has reviewed and considered the Factfinding Report, and we don't believe the findings of the report serve as a basis for resolving the bargaining dispute between UTLA and LAUSD."

Dec 28, 2018 - From LAUSD

"We are committed to solving all the contract issues in the interest of teachers, students, and families, and look to UTLA as an important partner in these efforts. Kindly confirm by the end of the day on Monday, December 31, 2018, whether UTLA will resume bargaining in light of the factfinding recommendations and these concessions. Please also advise whether it would be desirable to re-engage the mediators. We look forward to hearing from you."

Dec 31, 2018 - From UTLA

"While we appreciate the attempt to identify areas that LAUSD is open to discussing, we are unsure if your email is an actual proposal because it doesn't look like proposals that LAUSD has previously presented in bargaining."

Again, I have also attached my note of December 28, 2018 which provides details on Los Angeles Unified's proposal.

We hope UTLA will now return to the table and resolve the contract issues.

Rob

-----Original Message-----

From: Jeff Good <jgood@utla.net>

Sent: Monday, December 31, 2018 11:30 AM

To: Samples, Robert A <robert.samples@lausd.net>; Arlene Inouye <ainouye@utla.net>

Cc: Alex Caputo Pearl <acaputopearl@utla.net>; Murphy, Kristen <kristen.murphy@lausd.net>;

Beets, Gifty <gifty.beets@lausd.net>; Li, Lisa <lisa.li@lausd.net>; Wynn, Shiwonda

<shiwonda.wynn@lausd.net>; Corrales, Karl Frederick S. <karl.corrales@lausd.net>

Subject: Re: Further Request to Resume Bargaining

Hi Rob,

We received your email and considered it over the weekend.

Initially, we were encouraged and thought LAUSD was finally ready to consider our full package of proposals and provide a comprehensive response. However, we're puzzled because your email doesn't seem to include an actual proposal.

We appreciate your effort to identify differences in LAUSD's previous proposals and the recommendations of the neutral factfinder, however, LAUSD continues to misunderstand the report. In the spirit that LAUSD's misunderstanding is unintentional at this time, we would like to point out those areas where we believe LAUSD mischaracterizes the report.

First, thank you for acknowledging that LAUSD was incorrect when it reported to the media that there was an agreement on salary. When UTLA appointed our panel member, we did so thoughtfully, knowing that Vern Gates understood that the role of a panel member is to follow the statutory requirements, and that his non-binding recommendations may ultimately differ from UTLA's position. As it appears LAUSD appointed a panel member who would recommend only what LAUSD wanted, we understand why LAUSD may have believed there was an "agreement" on salary.

Second, we remain puzzled by the chart in your email. For example, under class size, the chart states "Accept factfinding recommendation (an amount between 1% and 3% towards class size reduction)," however, this is not what the neutral panel member recommended. On page 10, the neutral panel member specifically states "The Neutral Panel Chair also recommends the adoption of the Union proposal to Eliminate Section 1.5 from the CBA." (emphasis added) The neutral did not recommend an additional 1% to 3% of salary to reduce class size. The neutral recommended an additional 1% to 3% of salary to fund the hiring of student support staff in addition to the elimination of section 1.5, not in lieu of eliminating section 1.5.

While we appreciate the attempt to identify areas that LAUSD is open to discussing, we are unsure if your email is an actual proposal because it doesn't look like proposals that LAUSD has previously presented in bargaining. It doesn't even look like the last, best, and final that LAUSD sent to the LA Times. If LAUSD is attempting to provide a meaningful proposal, please do so in a clear and detailed format.

We look forward to hearing back from you as quickly as possible.

Thanks,

Jeff & Arlene

Sent from my iPhone

From: Samples, Robert A

Sent: Friday, December 28, 2018 8:03 AM

To: Arlene Inouye (ainouye@utla.net) <ainouye@utla.net>; Jeff Good (jgood@utla.net) <jgood@utla.net>

Cc: Alex Caputo Pearl (acaputopearl@utla.net) (acaputopearl@utla.net) <acaputopearl@utla.net>; Beets, Gifty <gifty.beets@lausd.net>; Murphy, Kristen <kristen.murphy@lausd.net>; Li, Lisa (lisa.li@lausd.net) <lisa.li@lausd.net>; Wynn, Shiwonda <shiwonda.wynn@lausd.net>; Corrales, Karl Frederick S. <karl.corrales@lausd.net>

Subject: Further Request to Resume Bargaining

Dear Arlene and Jeff:

I am writing in an attempt to alleviate any misunderstanding regarding LAUSD's positions in bargaining, to address where common agreement appears to have been identified, and to convey areas of concession that are being offered by the District, based on the Report of the State-appointed neutral factfinder. These issues are addressed in more detail in the attached chart.

As a follow up to my note of December 18, 2018, and suggestion that the Factfinding Report could provide a framework to resolve the contract issues, I thought it would be helpful to clarify exactly what that would mean for UTLA and its members. While we are disappointed UTLA is not willing to continue discussions on the contract, we hope this clarification will cause UTLA to reconsider and engage in contract negotiations.

With respect to salary, because UTLA's factfinding panelist concurred in the recommendation for 3% (2017-18) and 3% (2018-19), we understood this to mean that UTLA would accept a salary arrangement with these figures. As you will see in the chart below, the District is willing to forego the requirement for 12 hours of additional professional development.

With respect to class size, we had previously proposed that a portion of this investment be used for class size reduction in 90 of our highest need schools. As you will see in the chart below, a portion of these funds could be used in the manner proposed by the Neutral factfinder- for additional counselors, librarians and nurses.

With respect to numerous other areas of disagreement, as reflected in the chart below the District is also willing to make specific concessions in order to resolve these issues. These concessions include maintaining seniority in assignments for Summer/Winter Session, locating and providing workspace for itinerant employees, providing additional information to substitute teachers before they accept

classroom assignments, excluding suspensions as disciplinary action that would foreclose teachers from being considered for additional pay options, and maintaining teacher eligibility for half-time leave. (See Article IV-UTLA Rights, Article X-A-Discipline, Article XI-B-Master Plan, Article XII-Leaves of Absence, Article XIX-Substitute Employees, Article XX-Summer/Winter Session, and Article XXXI-Miscellaneous.)

Finally, the report of the neutral factfinder noted there remain many additional outstanding issues. He offered suggestions to resolve certain issues while acknowledging many should be removed at this time. We remain open to discussing these additional issues.

We are committed to solving all the contract issues in the interest of teachers, students, and families, and look to UTLA as an important partner in these efforts. Kindly confirm by the end of the day on Monday, December 31, 2018, whether UTLA will resume bargaining in light of the factfinding recommendations and these concessions. Please also advise whether it would be desirable to re-engage the mediators. We look forward to hearing from you.

Thanks,
Rob

The Path Forward

<u>Issue</u> <u>LAUSD Concession</u>	<u>LAUSD Prior Position</u>	<u>Factfinding Recommendation</u>	
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		librarians, etc.)	
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Article XXXI-Miscellaneous	No to providing itinerant employees a confidential	Agree to the Union proposal based on	Accept factfinding recommendation

	workspace	space availability at each site	
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Robert Samples, Interim Director
LAUSD, Office of the Labor Relations
333 South Beaudry Avenue, 20th Floor
Los Angeles, California 90017

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✉ robert.samples@lausd.net

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From: [Jeff Good](#)
To: [Samples, Robert A](#); [Arlene Inouye](#)
Cc: [Murphy, Kristen](#); [Beets, Gifty](#); [Li, Lisa](#); [Wynn, Shiwonda](#); [Corrales, Karl Frederick S.](#)
Subject: RE: Request to Resume Bargaining
Date: Wednesday, December 19, 2018 9:37:13 AM
Attachments: [image001.png](#)

Hi Rob,

UTLA has reviewed and considered the Factfinding Report, and we don't believe the findings of the report serve as a basis for resolving the bargaining dispute between UTLA and LAUSD. We encourage the District to finally read the entirety of our last, best, and final package proposal and agree to our demands, which will fundamentally improve the lives of students and educators.

Thanks,

JG

Jeff Good
UTLA Executive Director
213-487-5560



From: Samples, Robert A <robert.samples@lausd.net>
Sent: Tuesday, December 18, 2018 8:25 AM
To: [Arlene Inouye <ainouye@utla.net>](mailto:ainouye@utla.net); [Jeff Good <jgood@utla.net>](mailto:jgood@utla.net)
Cc: [Murphy, Kristen <kristen.murphy@lausd.net>](mailto:kristen.murphy@lausd.net); [Beets, Gifty <gifty.beets@lausd.net>](mailto:gifty.beets@lausd.net); [Li, Lisa <lisa.li@lausd.net>](mailto:lisa.li@lausd.net); [Wynn, Shiwonda <shiwonda.wynn@lausd.net>](mailto:shiwonda.wynn@lausd.net); [Corrales, Karl Frederick S. <karl.corrales@lausd.net>](mailto:karl.corrales@lausd.net)
Subject: Request to Resume Bargaining

Dear Arlene and Jeff:

We have had a chance to review the Factfinding Report, and we are hopeful that the information contained in the report will enable the parties to resolve the labor dispute. LAUSD is willing and able to resume bargaining, and invites UTLA to return to the table. Please let us know by end of day Wednesday as to whether UTLA will resume bargaining and, if so, provide proposed dates and times. Please also advise whether it would be desirable to re-engage the mediators. We look forward to hearing from you. Rob

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