

## 32nd Annual Conference on Collective Bargaining and Employment Relations

The 32<sup>nd</sup> Annual Conference on Collective Bargaining and Employment Relations sponsored by School Employers Association of California (SEAC) in conjunction with the Personnel Administrative Services Steering Committee (PASSCo) of the County Superintendents was held at the Irvine Marriott Hotel on March 14-15, 2007.

A full-day workshop featuring Joe Woodford and Jim Fleming presenting *Fourteen Critical Areas of Negotiating: Successful Strategies and Tactics* was very well attended, and the workshop/presenters received outstanding evaluations.

The workshop was followed by a full day of breakout sessions and a noon-time General Session. At the General Session, Mr. John Duncan, Chair, Public Employment Relations Board, provided the participants with important information about how PERB works, and the successful assistance they have given to help districts and their unions achieve settlements. Mr. Duncan showed that last year over 200 districts were involved in Impasse Proceedings, and only two ended up with Factfinding Reports filed with school boards. The remainder resolved the disputes through the process.



**Mr. John Duncan**



**Dr. Ingram, Senator Scott, Dr. McDaniel**

Also, at the General Session, SEAC was pleased to award our Annual Service to Education Plaque to Senator Jack Scott for his authoring SB1655, and getting it signed into law limiting the reassignment of teachers in low performing schools where the principal feels they would not be effective. In addition, the statute provides for an April 15 deadline for voluntary transfers. Senator Scott was in the legislature the day of our conference so SEAC Former Chair, Bruce McDaniel, and SEAC Executive Director, Ruben Ingram, presented him the award in person earlier in his office, and at the conference, Senator Scott's Chief of Staff, Gale Evans, received the award for the Senator.

During the day, twelve valuable breakout sessions were held, and the participants gave them evaluations ranging from 4.22 – 5.00, very high ratings. We thank all the presenters for their contributions: Joe Woodford (Advisory Publishing), Jim Fleming (SEAC), Mark Farrell (Piper Jaffray), Eric O'Leary (PARS), David Pollack (CSBA), Ira Summer (PPP), Brett McFadden (ACSA), Wendy Benkart (OCDE), Rene Hendrick (OCDE), Annie Song-Hill (CMCS), Mike Rossi (PSIS), Ron Bennett (SSC), Lou Lozano (Lozano-Smith), Tom DeLapp (CRS), Steve Andelson (AALRR), James Romo (AALRR), Paul Hewitt (ACSA), Ron Vera (Law Offices G&V) Lynn Murphy (Law Offices of G&V), Donna Patrick (RUSD)



**Some of the participants at the luncheon**

Excellent



**Mr. Paul Mercier,  
SEAC Chair**



**Largest attendance in years**



**Ruben Ingram  
Executive Director**

From the Desk

As negotiations heat up this spring, there are several noticeable trends. First, more districts are calling to ask about Impasse Procedures; and second, more districts are taking a proactive negotiations approach that includes the establishment of core values and the publication of "Negotiations News" on websites, in newsletters, and in the media.

The steps of impasse are mediation, fact-finding, post-fact-finding negotiations, and implementation of the district's last, best, and final offer; and the unions right to strike. SEAC advises that Boards and Management Teams recognize clearly that such procedures are just part of the negotiations process. The steps are the statutory provisions of dispute resolution. In other words, they are the legal way to try to get a settlement when the parties cannot do so on their own. During impasse, the parties may not take the final actions to which they are entitled until the impasse procedures have been exhausted. In the meantime, the parties have the right to continue negotiations, and try to resolve the dispute at any point along the way.

In this month's Q & A box, we answer some of the most frequently asked questions about Impasse. If you need more assistance, do not hesitate to contact us. We have worked with several school districts this spring regarding impasse.

In terms of more districts using a proactive approach, we sent out recently some examples of "Negotiations News." We have posted these and some others on our website so we encourage you to go to [www.seacal.org](http://www.seacal.org) to view them. See the section in this newsletter about how to access the member only section.



**SEAC Welcomes our new Central-Northern  
Regional Consultant Mike Crass**

The SEAC Board and Staff are very pleased to welcome Mr. Mike Crass, recently retired Superintendent, Winton School District in Merced, to the position of SEAC Regional Consultant for Central and Northern California. Mike brings 34 years of experience to our members including 13 years as superintendent. Prior to his superintendency he was an Assistant Superintendent, Director, Coordinator, Program Manager, Principal, and Teacher. He is a member of a number of other professional associations, has received many awards and recognitions, and served on community and charitable committees. Mike is married to Jo Crass, and has three children; Michele Price, Julianne Aguilar, and Steven Crass. Mike will serve the member districts in the Central and Northern parts of the state, and will staff the SEAC Professional Development Committee. You may reach him by email at [whmjc6@aol.com](mailto:whmjc6@aol.com) or call him at 209.761.2839. You may also leave messages for him at the SEAC Office, 949.387.1869.



**SEAC/ACSA  
Alliance**



School Employers Association of California (SEAC) is pleased to announce a formal alliance with the Association of California School Administrators (ACSA) to jointly provide both individual ACSA members and district SEAC members with training and support in collective bargaining and employer-employee relations. Contact either Dr. Ruben Ingram at SEAC 949.387.1869 or Mr. Brett McFadden at ACSA 916.444.3216 for program and services information.



[www.seacal.org](http://www.seacal.org)

### Get access to SEAC Member Only Online today

1. Open the link:  
[http://www.sentrylogin.com/sentry/member\\_signup.asp?Site\\_ID=885](http://www.sentrylogin.com/sentry/member_signup.asp?Site_ID=885)
2. Fill in the registration form completely
3. Click on next
4. You will receive an e-mail to verify your email address
5. Follow the directions  
Access will be provided in about 2-3 hours



## Questions & Answers

**Question:** May bargaining unit members, parents, and community conduct demonstrations, pass out leaflets, speak at board meetings, etc., while impasse procedures (mediation, factfinding) are taking place?

**Answer:** Yes; however, signs in cars cannot be in school parking lots, leaflets and demonstrations must stay on the sidewalks, and time limits set by the board apply.

**Question:** Can districts expect to win an Unfair Labor Practice Charge against a union that plans and encourages their members to call in sick in order to disrupt education and make their case?

**Answer:** Not unless the district can prove that any "sick-out" was planned and directed by the union. (See *Grossmont UHSD v. Grossmont Education Association*, 31 PERC 4 (Cal. PERB 2006) See SEAC REPORTER, Page 17, February, 2007 for the required evidence.



### ANNOUNCING A WORKSHOP FOR SCHOOL LEADERS

#### Conducting Internal Investigations

Presented by E. Michael Rossi  
Public Schools Investigative Services (PSIS)

*Sponsored by School Employers Association of California (SEAC)*



#### OVERVIEW:

The administration of schools and school districts is growing ever more challenging. An increasing area of concern to school managers at all levels is the need to properly address complaints and allegations of wrongdoing. This workshop will assist administrators as they walk the tightrope between:

- being responsive to complaints, while
- limiting the district's liability exposure and
- protecting the rights of employees

All participants in this four-hour workshop will receive the PSIS publication:

#### *A Supervisor's Guide to Conducting Internal Workplace Investigations*

This manual contains concrete information to assist you through the assessment, planning, investigatory & disciplinary processes associated with workplace investigations. Filled with checklists, legal references, case studies, & more than 50 pages of model school board policies, it is an invaluable tool for districts.

#### REACT:

- **R**ecognize workplace events & environments that may require investigation
- **E**xplore those events & instances to determine the facts based on evidence
- **A**nalyze the findings & determine credibility of all parties involved in a dispute
- **C**orrect errors, omissions & mistakes in a timely manner as may be necessary
- **T**rain employees to properly conduct the daily business of public schools to avoid future problems

#### Location & date:

Orange County Department of Education  
Riverside County Office of Education  
San Diego County Office of Education  
Los Angeles County Office of Education

#### Registration

April 19  
April 25  
May 10  
May 16

#### Deadlines:

April 13  
April 19  
May 1  
May 7

All workshops are 8 am to 12 noon.

**Register Online**  
**[www.seacal.org](http://www.seacal.org)**



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