



California School Employees Association
RESOLUTIONS BULLETIN

February 27, 2009

Resolutions Bulletin No. 2-09

2009 CONFERENCE RESOLUTIONS

Action for Chapter Presidents: Agendize Resolution Nos. 22 through 29 for discussion at chapter meeting.

A. SUBJECT MATTER

1. 2009 Conference Resolutions

Resolution Nos. 22 through 29 have been certified for submission to the 2009 Conference and are attached hereto. These resolutions should be agendized for discussion at a chapter (or retiree council) meeting soon, and provided to chapter delegates when elected.

2. The deadline for submission of resolutions to the 83rd Annual Conference has passed. Resolutions which were not postmarked by the February 2, 2009, deadline will not be submitted for conference action, unless they are submitted to the Board of Directors and approved as urgency/emergency measures under provisions of Article V, Section 6(c) of the Bylaws.

B. REQUIRED ACTION

1. By Chapter Presidents and Retiree Unit Executive Board:

- a) Agendize the attached Resolution Nos. 22 through 29, for discussion at a membership meeting soon, so that your delegates will have input regarding the membership's feelings on the issues.
- b) Retain all resolutions as they are received, and provide copies to your delegates when elected. Resolution Nos. 22 through 29 are appended hereto.

2. **By Regional Representatives & Labor Relations Representatives:** For discussion at chapter meetings and RPMs. Make sure your chapters have received Resolution Nos. 22 through 29, and that they are being discussed at chapter meetings.

3. By Chairpersons and Members, Standing Committees:

If resolutions are assigned to your committee for pre-Conference review and recommendation, ensure that the content of the resolution is discussed with appropriate representatives of the submitting chapter prior to development of the committee's recommendation, to ensure the committee clearly understands the intent of the proposal and the problem(s) it is intended to resolve.

CALIFORNIA SCHOOL EMPLOYEES ASSOCIATION



Bud Dougherty
Executive Director

DJ:sh

Attachments: 2009 Resolution Nos. 22 through 29

DISTRIBUTION:

(For Action): Chapter Presidents; Regional Representatives; Chairpersons and Members Standing Committees; Retiree Unit Executive Board; Labor Relations Representatives

(For Information): Board of Directors; Alternate Area Directors; Assistant Regional Representatives; Political Action Coordinators; Regional Public Relations Officers; Retiree Council Presidents; Life Members; Honor Roll; All Staff

PREVIOUS BULLETIN INFORMATION:

Resolution Bulletin No. 1-09, dated 2/13/09, titled "2009 Conference Resolutions," was given general distribution.

RESOLUTION NO. 22
Military Service Credit Grant

WHEREAS, CSEA members passionately believe our brothers and sisters who have honorably served in the military deserve recognition for their service and sacrifice, and

WHEREAS, CSEA members wish to recognize the sacrifice, dedication, and service to our country, community, students, and union brothers and sisters, and

WHEREAS, current CalPERS rules permit honorably discharged military veterans to purchase up to four years of service credit, and

WHEREAS, purchasing service credit is a means to provide members with an earlier retirement date while maintaining more years of service, and

WHEREAS, a gift of retirement service credit is just a small way to thank, reward, and honor our brothers and sisters for their service to our state and our nation;

BE IT THEREFORE RESOLVED: That CSEA shall establish the **Veterans Service Credit Grant** for the purpose of purchasing one year of the district-paid portion of service credit for any CSEA member in good standing who applies for this Grant prior to retirement from CalPERS, and who has at least one year of earned CalPERS service, and who can show proof of honorable discharge (e.g., military separation papers from DD214), and who meets the CalPERS requirements for purchasing military service credit.

Certified January 31, 2009, postmark
Lori Klingensmith, Association Secretary

Submitted by Mt. San Antonio College
Chapter 262
Area G, Region 35
Approved at January 21, 2009, Chapter
Meeting

/s/ Laura Martinez, Chapter 1st Vice
President

/s/ Rosa Asencio-Verdugo, Chapter
Secretary

Author's Statement

In recognition of and appreciation for the courage and valor of the men and women who have selflessly served our country in an armed conflict arena to protect our inalienable rights as United States citizens, we, the members of CSEA Chapter 262 Mt. San Antonio College, encourage passage of this resolution.

As classified professionals, our military veteran brothers and sisters have already demonstrated their dedication, sacrifice, and service to our members, students, and community. As military veterans, our classified professional brothers and sisters have also demonstrated this dedication, sacrifice, and service to our community and country. We believe these men and women who have served our country so honorably deserve some recognition and privilege separate from and in addition to the benefits our non-

1 veteran members receive. We believe it is our duty and honor and privilege to provide
2 our member veterans with this small gesture.

3
4 The intent of this resolution is for CSEA to establish a Military Service Credit Grant
5 system for our military veteran members that would pay for the employer portion of the
6 service credit purchase. All of the current CalPERS eligibility requirements would
7 remain. This resolution, however, would allow a member-veteran to apply for a Grant
8 from CSEA that would pay for the employer portion of one year service credit. An
9 application, review, and approval process would be required. Eventually, the hope is to
10 establish an appropriate Grant Trust so the funding would be self-sustaining, negating
11 any cost to members. We acknowledge this resolution might require some cost to
12 establish, and may even require additional work for the Retirement Committee or other
13 appropriate committee, but we believe this to be a small sacrifice on our part to honor
14 our veteran brothers and sisters.

15
16 This resolution would clearly and measurably reward our veterans in a significant and
17 substantial way that can only begin to express our gratitude for the freedom and
18 security they have sacrificed to provide for each of us that we enjoy on U.S. soil.
19 Patriotism is honorable and raises each of us to a higher level of esteem. Empty words
20 without actions are hollow and they undermine the credibility of those served unless
21 those serving are legitimately and transparently rewarded.

22
23 Our veterans have stood vigilant at their duties on active military service and are now
24 active in this assembly as veterans. Let us not forget our responsibility to them, as a
25 union, and reward the member-veterans with our thanks for their sacrifices on our
26 behalf. Let us pass this resolution!

1 then the state faced the worst financial crisis in its history. Our college, Mt. San Antonio
2 College, faced a nearly \$2.5 million deficit according to our chief financial officer. As a
3 result, the college's Board of Trustees approved a plan to save the college more than
4 \$1 million by developing an early retirement incentive and, in March 2003, selected
5 Public Agency Retirement Service (PARS) to develop and administer the plan.

6
7 In March 2004, Butte County also faced similar financial hardship due to the State's
8 budget situation and proposed PARS help them develop and administer a
9 Supplementary Retirement Plan (SRP) or Separation Incentive Plan (SIP). Butte
10 County administrators selected PARS as their vendor, citing PARS' ability to provide
11 plan "management with the assurance and flexibility to achieve financial and structural
12 goals" as a reason. The Butte County administrators also stated that while the
13 California Public Employee Retirement System (CalPERS) does provide early
14 retirement incentives, "their rules place constraints on the program that make it
15 unattractive from a management perspective."

16
17 While no one would argue California is currently in the worst financial crisis in its history,
18 piling the comparatively modest deficits we faced after the Enron scandal and budget
19 crisis that followed, after experiencing the less-than-expected savings (for both Mt. SAC
20 and Butte County) promised by PARS, California school employees need vendors who
21 can supply retirement plans that are inspired by their ability to provide employees as
22 well as management a plan that is cost-effective, flexible, and sound. To best serve our
23 members, classified employee negotiating teams need a strong bargaining chip, a
24 reasonable alternative to the choices Districts all-too-often ram down our throats, a well
25 respected, irrefutable, unquestionably successful vendor for which to negotiate.
26 Therefore, Mt. San Antonio College Chapter 262 believes this resolution will allow
27 classified employees to negotiate for such a vendor.

RESOLUTION NO. 24
Policy 613 Update and Adhoc Committee

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4 **WHEREAS,** since its beginning in 1926, CSEA has been a member-run organization
5 and in that spirit, equal representation and treatment is at the very core of
6 its existence, and
7

8 **WHEREAS,** without the benefit to receive and view actual Policy 613 charges filed by a
9 member(s) in good standing; instead a correspondence is written by
10 CSEA staff attorney after a minimal investigation and, the potential harm
11 to charged chapter member(s) whom are left with no other option but to
12 attempt to clear their good names by responding to the vaguely stated
13 allegations contained in said correspondence, and
14

15 **WHEREAS,** Desert Sands Chapter 106 leadership was informed by CSEA that all
16 Policy 613 charges are confidential; yet we were unable to find any
17 provision within the Policy 613 article that states charges are to be
18 confidential, nor can a chapter properly defend itself against Policy 613
19 charges without having been given the benefit of full disclosure, and
20

21 **WHEREAS,** there is no clear accountability process in place to assure that frivolous
22 and malicious Policy 613 charges are not being filed, and
23

24 **WHEREAS,** there is no provision in Policy 613 to verify any attempt to resolve potential
25 Policy 613 charges at the lowest possible level and, to assure the
26 Regional Representative process is followed; i.e., a signed check off list of
27 items to be attached to Policy 613 charges, thus verifying the process was
28 followed, and
29

30 **WHEREAS,** if Policy 613 charges are upheld by the State Board, a member could
31 stand to lose his/her membership rights for a period of 5 years, including
32 the right to hold local and state offices, and
33

34 **WHEREAS,** the intimidation and stress placed upon a chapter member(s) who receive
35 a correspondence from a CSEA staff attorney stating Policy 613 charge(s)
36 have been filed against them should not be taken lightly due to the
37 seriousness of discipline potentially imposed, and
38

39 **WHEREAS,** members do not have the financial resources to pay out of pocket for an
40 attorney to represent them, and
41

42 **WHEREAS,** an exception to the full disclosure requirement would be acceptable in
43 cases where criminal charges may be filed against a member, i.e.,
44 misappropriation of chapter funds, risk of physical harm to charging party;
45

46 **BE IT THEREFORE RESOLVED:** The CSEA State President will establish an ad hoc
47 committee to review and update Policy 613. This update shall include full disclosure of
48 charges and name of charging party, equal representation by CSEA staff attorneys,
49 establish an accountability check off list to show attempted resolution at the lowest
50 possible level that must be signed by a Regional Representative prior to the Policy 613
51 charges being forwarded to the State President unless such full disclosure would harm

1 the State Association's ability to thoroughly investigate potential charges in alleged
2 criminal acts, charging party shall have appeal rights equal to the charged party, and
3 creation of a training program with required attendance for all appointed and elected
4 officers in order that they clearly understand their responsibility relating to Policy 613
5 process and implementation. Due to the seriousness of potential discipline, no further
6 changes to this policy shall take place unless voted on by the delegates at the annual
7 CSEA conference.

8
9 Certified January 30, 2009, postmark
10 Lori Klingensmith, Association Secretary

Submitted by Desert Sands Unified
Chapter 106
Area F, Region 10
Approved at December 17, 2008,
Chapter Meeting

/s/ Rosemary Mendiola, Chapter
President
/s/ Irene Pina, Acting Chapter
Secretary

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RESOLUTION NO. 25
Elected Regional Representatives

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4 **WHEREAS**, since its beginning in 1926, CSEA has been a member-run organization
5 and in that spirit, each member voicing their independent beliefs and
6 opinion is at the very core of its existence, and
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8 **WHEREAS**, Regional Representatives are appointed by the State President and serve
9 at his/her pleasure, and in that light, are expected to speak, act and vote
10 accordingly, and
11

12 **WHEREAS**, Regional Representatives no longer speak, act and vote their minds at the
13 CSEA annual conference – but instead at the specified direction of the
14 State President, and
15

16 **WHEREAS**, Regional Representatives are the Association’s connection to the Chapter
17 Leadership and the reverse, and
18

19 **WHEREAS**, Regional Representatives should not have to leave their independent
20 thinking and member-run organization philosophy behind to serve as a
21 Regional Representative, and
22

23 **WHEREAS**, the intimidation and stress placed upon a Regional Representative to
24 maintain or risk losing their appointment if they disagree with the State
25 President by choosing to share their position with the Chapter Leaders
26 and/or other members, and
27

28 **WHEREAS**, Chapter Presidents depend on their Regional Representatives to be their
29 direct line of communication with the State President and must be
30 confident that their role is one of uncompromised independence;
31

32 **BE IT THEREFORE RESOLVED:** That State Policy 401 be changed to reflect
33 “ELECTION” to replace “APPOINTMENT” and set the first election to take place at the
34 2009 CSEA Annual Conference. The first election of Regional Representatives shall be
35 those regions whose region numbers are odd-numbered. Appointed Regional for the
36 even-numbered regions shall be appointed for 1 year only by the State President to
37 allow time for the first election to take place during the 2010 CSEA Annual Conference.
38 During the 2010 CSEA Annual Conference the election of Regional Representatives
39 whose region numbers are even numbers shall take place. The term of office for
40 elected Regional Representatives shall continue to be 2 years.
41

42 **AND BE IT FURTHER RESOLVED:** That Regional Representatives submit a written
43 report to the State Association President with copies to all Chapter Presidents in their
44 respective regions outlining trainings held at meetings, chapter meetings attended and
45 other such information necessary to carry out their primary duties and responsibilities in
46 State Policy 402. Such reports are to be submitted on an annual basis at least once per
47 quarter year.
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1 Certified January 30, 2009, postmark
2 Lori Klingensmith, Association Secretary
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Submitted by Desert Sands Unified
Chapter 106
Area F, Region 10
Approved at December 17, 2008,
Chapter Meeting

/s/ Rosemary Mendiola, Chapter
President

/s/ Irene Pina, Acting Chapter
Secretary

1 **RESOLUTION NO. 26**

2 **Election at Annual Conference, Area Directors and Alternate Area Directors**

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4 **WHEREAS**, the election of Area Director and Alternate Area Directors rely solely on
5 the U.S. Mail system, and
6

7 **WHEREAS**, the timing of the elections of Area Director and Alternate Area Director is a
8 requirement with no exceptions for late ballots, and
9

10 **WHEREAS**, the envelope containing the official ballot has to have a canceled postmark
11 in order to be accepted, and
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13 **WHEREAS**, such strict requirements often result in procedural errors causing ballots to
14 be invalidated – thus all chapter votes are not included, and
15

16 **WHEREAS**, all voting for State Officers should be performed in the same manner to
17 assure a fair, consistent and equitable process, and
18

19 **WHEREAS**, voting for State Officers at the CSEA Annual Conference is the most
20 efficient way to ensure all chapters have an opportunity to participate in
21 the election process, and
22

23 **WHEREAS**, some chapters suffer ongoing problems with the U.S. Mail system not
24 regularly delivering mail which includes “time sensitive” mail in a timely
25 manner;
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27 **BE IT THEREFORE RESOLVED:** That State Policy 204.3 election procedures be
28 changed to “elected at the CSEA Annual Conference,” with the first election to take
29 place at the 2010 Conference.
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31 Certified January 30, 2009, postmark
32 Lori Klingensmith, Association Secretary

Submitted by Desert Sands Unified
Chapter 106
Area F, Region 10
Approved at December 17, 2008,
Chapter Meeting

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37 /s/ Rosemary Mindiola, Chapter
38 President

39 /s/ Irene Pina, Acting Chapter
40 Secretary
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RESOLUTION NO. 27
CSEA Staff Trade Time “Day for a Day In-Lieu”

WHEREAS, the California School Employees Association (CSEA or Association) represents nearly 230,000 school support staff throughout California, and

WHEREAS, the members of the Association Employees Union (AEU) are CSEA employees who tirelessly fight for and protect the rights of CSEA members, and

WHEREAS, the CSEA membership expects the Association’s practices to treat staff members as the Association would have the membership treated by their employing districts, and

WHEREAS, the membership fully expects CSEA to treat its employees with the same practices of respect and compensation demanded of public school employers in California, and

WHEREAS, the current practice of CSEA as it relates to the members of AEU who function as CSEA overtime exempt staff fails to provide equal days off for required work days beyond a regular five day work scheduled, and

WHEREAS, CSEA membership credits and acknowledges Association management for consistently striving to maintain excellence in service, and

WHEREAS, the membership seeks to chart a new path for employer-employee relations within the Association, and

WHEREAS, the members of CSEA appreciate and recognize the time, work and dedication of CSEA staff/AEU members;

BE IT THEREFORE RESOLVED: That the membership of CSEA hereby immediately directs the Association and its management to offer AEU modifications to the CSEA/AEU Collective Bargaining Agreement through the process of negotiations providing such language that would in effect provide overtime exempt AEU members “Day for a Day in-lieu.”

Certified February 2, 2009, postmark
Lori Klingensmith, Association Secretary

Submitted by San Marino Chapter 120
Area G, Region 95
Approved at January 28, 2009, Chapter Meeting

/s/ Henry Soria, Chapter President
/s/ Jeanne Lipps, Chapter Secretary

RESOLUTION NO. 28
CSEA Staff Vehicle Allowances

WHEREAS, the California School Employees Association (CSEA or Association) represents nearly 230,000 school support staff throughout California, and

WHEREAS, the members of the Association Employees Union (AEU) are CSEA employees who tirelessly fight for and protect the rights of CSEA members, and

WHEREAS, the Association currently provides vehicle allowances for specified AEU positions, and

WHEREAS, vehicle allowances have not been adjusted since 1992, and

WHEREAS, the expenses for maintenance of a vehicle have steadily increased since 1992, and

WHEREAS, CSEA membership credits and acknowledges Association management for consistently striving to maintain excellence in service, and

WHEREAS, the membership seeks to chart a new path for employer-employee relations within the Association, and

WHEREAS, the Association's membership understands the expenses for maintenance of required vehicles have steadily increased;

BE IT THEREFORE RESOLVED: That the membership of CSEA hereby immediately directs the Association and its management to offer AEU modifications to the CSEA/AEU Collective Bargaining Agreement through the process of negotiations providing such language that would in effect increase vehicle allowances from \$600 to \$800 per month and \$800 to \$1,000 per month.

Certified February 2, 2009, postmark
Lori Klingensmith, Association Secretary

Submitted by San Marino Chapter 120
Area G, Region 95
Approved at January 28, 2009, Chapter Meeting

/s/ Henry Soria, Chapter President
/s/ Jeanne Lipps, Chapter Secretary

RESOLUTION NO. 29
CSEA Staff Salary Increases

WHEREAS, the California School Employees Association (CSEA or Association) represents nearly 230,000 school support staff throughout California, and

WHEREAS, the members of the Association Employees Union (AEU) are CSEA employees who tirelessly fight for and protect the rights of CSEA members, and

WHEREAS, the CSEA membership expects the Association's practices to treat staff members as the Association would have the membership treated by their employing districts, and

WHEREAS, the membership fully expects CSEA to treat its employees with the same practices of respect and compensation demanded of public school employers in California, and

WHEREAS, the membership of CSEA expects that the hard work of Association employees is properly compensated, and

WHEREAS, CSEA membership credits and acknowledges Association management for consistently striving to maintain excellence in service, and

WHEREAS, the membership seeks to chart a new path for employer-employee relations within the Association, and

WHEREAS, the membership of CSEA appreciates and recognizes the time, work and dedication of CSEA staff/AEU members;

BE IT THEREFORE RESOLVED: That the membership of CSEA hereby immediately directs the Association and its management to offer AEU modifications to the CSEA/AEU Collective Bargaining Agreement through the process of negotiations providing such language that would in effect ensure AEU members receive an equal percentage of salary increases on a year-to-year basis equal to the average percentage salary increase provided to the membership of CSEA throughout the state.

Certified February 2, 2009, postmark
Lori Klingensmith, Association Secretary

Submitted by San Marino Chapter 120
Area G, Region 95
Approved at January 28, 2009, Chapter Meeting

/s/ Henry Soria, Chapter President
/s/ Jeanne Lipps, Chapter Secretary