

Organizing to Win:

Organizing and Bargaining resources

Organizing Advisory

(structure test)

Stand behind our bargaining team buttons - track strength of membership.

Walk in together - encourage by bringing snacks and drinks

Have a flier if needed to explain our actions to parents

Peak escalation - bring fliers and door hangers and put in antagonistic school board member neighborhoods during (make sure they focus on our platform and why we stand for it)

Honor people that have walked in a strike - little buttons that have baby feet

Any type of recognition for those who are active in HTA organizing

How to address so many teachers out of our community?

Identify all of the community leaders who we can partner with

Parent engagement committee - include some parents on our committee that are not teachers (ask primary teachers to lead this)

CTA - data for teachers who live in our area but work in a different district / cross pollination

Hold a E-Board planning retreat with the organizing team and plan for how to increase organizing

Create a plan and have the rep council approve it!

Evaluate HTA

<https://www.cta.org/wp-content/uploads/2020/10/Chapter-Assessment-Our-Local-Union-Strengt h.pdf>

Always have a plan/agenda that is known by members

Plans are good - how do we get followthrough?

Work on details: Action steps, timelines, and point person (make sure that the point person has the resources that they need)

Incentivise participation

Make it part of our culture

Our plan needs to be flexible

Site Visits

We need to make sure more people are involved in their work environment and the power that they have as being in a union.

Site visits are far more valuable than emails

Identify bargaining priorities

Issue identification

Local school board races
Community schools campaign - funding
Parent and community coalition building

Need to collect information and share it with all members

Make sure we are taking notes during site visits.

If there is an issue brought up that can be fixed quickly - do it!

Try to recruit potential leaders

Most important thing is to listen - do not give a presentation that takes up too much time!!

Create a schedule and make sure reps and admin know ASAP

Be clear about our purpose

Have a list of members and non-members

See if you can have a one on one with non-members if they are vocal about contract issues

Advanced Grievances:

The Association and the bargaining unit member determine if a grievance exists - not the district.

Only deals with contract/rule/practice

It is not a dispute between unit members

Educational Employment Relations Act - must represent everyone about the contract member or nonmember

Create a grievance grid w/ no names so everyone is aware of what is happening across the district.

At Step One - prepare as if it is going to arbitrations

Collecting witnesses - getting statements

Collect all notes

REMEMBER ALL OF THE TIMELINES

Coachella Valley TA CBA has language - if district misses dates, the union wins

Binding Arbitration is actually binding.

Everyone must follow

Advisory goes to the school board

Ability to find all school districts contract language

CTA Search -

CTASEARCH.ORG

We need to make sure that not just the member, but the association should be able to be the 'grievant' in our contract.

Past practice can be established if the association knew or should have known about management not following the CBA

We are not the judge of the grievant - let the contract be the judge

We are there to defend the contract
Ask the member if they can find it in the contract (get the members engaged in their contract)
Try to get to the issue - follow the grievance guide
Keep great records of grievances to establish past practice
Give reports about all grievances in rep council, BUT also to all members
Can use a grid
Date/site/article/status
Lets everyone know how busy the union is defending teachers - what we are working on
A spreadsheet / grid can help notify the bargaining team / let superintendent know what we may have problem admin or schools - let the board know.
When we write it up - assert violations of every Article and/or Section
Remedy must be in four corners of the contract
Back pay is edcode
**Follow the contract / compensate the employee / fix the problem
File grievances by year and filed vs settled
Grievance remedies become the interpretation of the contract

Even if you do not agree with something going to the level of Arbitration, send a letter to the school board/sup and state that we do not recognize this as establishing past practice.

Local dues must be at least 30% of CTA dues - to qualify fo crisis assistance panel

Should be release days to handle grievances - 2 days per month perhaps (grievance maintenance)

PAC:

Independent expenditures - we are prohibited from talking to candidates about money we will be spending on them. WE DO NOT HAVE TO DO THESE

We are encouraged to coordinate with candidates for non monetary contributions.

We are all general purpose sponsored recipient committee

Limits on county contribution limit can not spend cash or in kind contributions - THIS IS NOT FOR SCHOOL BOARDS

Member to member communication - comes out of the general fund if it is a national/state issue

Can't talk about political stuff during instructional time.

We can wear our school shirts when we cavass

Express advocacy - must be PAC money. CTA members within our district

List of preferential vendors - talk to Karen

[CTA PAC Resource Handbook](#)

Standing rules should include how the PAC operates. Standing rules can be modified by e-Board

ahunter@cta.org

714-390-6114

Attend CTA Political Academy next year during the off cycle

Care and Feeding of the School Board:

Be consistent and have them talk to more than one person - invite them to the class.

Make the visit more social

Speak to people that we didn't endorse

Find common ground to just get to know each other - even if it is not about school

When school board members are invited to the classroom, make sure they see the issue we wish to highlight

Make sure we display the work that we do on the walls

Stacks of essays to grade

Treat it like an open house if no students are there

The chapter can spend money on this

@Hemet High - focus on bathrooms / phys education / edgenuity classes 1 out of 5 kids are in them

Reach out to individual HTA members to contact the board and invite board members to visit their room

Look for people who volunteered for the campaign

Always try to reach out with every board member - should be a monthly event

How to read budgets

How to look at caps on benefits

Board members are political - make sure you can offer them advice, and support if they are doing that you want them to do.

Board members are part of a larger community that you want to influence as well.

Many people try to influence the board - we must have a seat at that table

Rules for meeting with the board:

Brown Act - a majority of the board can not meet together and discuss policies that are in front of them

They are together during graduation and other district events - just don't talk about policies if there are 4 of them.

We can create a budget for this type of activity - the board member would have an obligation to report if we provide them food or other gifts.

[Guide to giving gifts to school board members](#)

Make sure that when we speak to board members on the record we share the message with everyone on E-Board

Make sure we have a central mission statement.

Make sure we invite board members to our social events and even rep council:

Wine tasting that is coming up.

Baseball games / other sporting events

At rep council

Make sure people are prepared on what we would like to ask questions about or information to give.

More than just E-Board should be talking to board members.

What is their preferred form of communication?

Make sure we give recognition and thank yous to board members who support us in their actions

If we are in bargaining we can provide evidence of our position - make sure we always speak to bargaining first. Make sure we are not bargaining away from the table.

LGBTQ+ History:

LGBTQ+ history is not just white men

Intersectionality is necessary in our teaching the LGBTQ+ crosses gender, sexuality, class, ethnicity, overcoming disabilities

1850&1856 Crow nation Woman Chief Barcheempe was killed and left behind four wives

1917 - US immigration banned "persons with abnormal sexual instincts"

1924 - Henry Gerber and six other men in Chicago found the Society of Human Rights
1931 - Baltimore Afro-American covers a local drag ball "coming out of new debutantes into gay society"
1932 - Molly Dewson - close friend of Eleanor Roosevelt is appointed head of the Women's Division of the Democratic Party by FDR
1932 - Eleanor Roosevelt and Lorena Hickock
1935 - "Letter to an American Mother" asking to be compassionate and tolerant of their homosexual kids - Sigmund Freud
1939 - inclusive Jewel Box Revue in Miami - Drag Reviews
1942, 44, 47 - Excluding gay men from service and lesbian women from WAC
Truman and Lavender Scare
1948 - Kinsey Scale - 50% of American men and 28% of women have homosexual tendencies
How do ads look? appealing to homosexual tendencies
1950 - Mattachine Society "Homophile" / Marxists
1952 - Sex reassignment surgery - Chistine Jorgensen
1953 - Executive Order #10450 banning federal employees from jobs
1955 - Del Martin, Phyllis Lyon Daughters of Bilitis
1956 - James Baldwin Giovanni's Room a male love story
1957 - Report in the Navy - No evidence that "homosexuals cannot accerptable serve in the military" - suppressed until 1967
1959 - Cooper Do-nut Riot in Los Angeles
1962 - Illinois decriminalizes homosexual contact (California 1976)
1963 - Sen. Strom Thurmond tries to derail March on Washington because of Bayard Rustin
1965 - Barbara Gittings and Frank Kameny and "Homophile" activists picketing White House and State Department, and the Pentagon, and Independence Hall in Philadelphia
1966 - Gene Compton's Cafeteria and Tenderloin neighborhood Riots
1967 - Student Homophile League at Columbia University becomes first lesbian and gay student club
1969 - Stonewall Riots New York City's Greenwich Village (In NY it was illegal for gays, lesbians, and native american women to drink alcohol in public)
1970 - Lesbians stage the "Lavendar Menace" protest action at a feminist conference challenging groups like NOW
1972 - Baker v. Nelson Minnesota Supreme Court rules that same sex marriage is allowed
1973 - APA removes hososexuality from its list of psychiatric disorders
1975 - US Civil Service allows homosexuals
1975 - Elaine Noble lesbian legislature
1975 - Minneapolis, MN first city to protect transgender rights
1977 - Anita Bryant "Save Our Children"
1978 - Harvey Milk gay San Francisco supervisor
"Hope will never be silent." - H.M.
1979 - 100+K march on Washington
1981 - Gay-Related Immune Deficiency (GRID) / later is known as AIDS
1982 - Wisconsin passes first lesbian and gay civil rights bill in housing / employment / and public accomodations

1987 - ACT UP (Aids Coalition to Unleash Power) Fight to get treatment for non white gay men for AIDS
1988 - National Coming Out Day is observed on October 11 (Celebrates the one-year anniversary of the 2nd National March on Washington)
1988 - City College of San Francisco approves the creation of the first gay and lesbian studies department in the US
1990 - GLSTN and Gay-Straight Alliances
1990 - "outing" is coined by Time Magazine
1990 - Immigration restrictions on people with HIV and AIDS remain in place though LGBT people can enter the US
1991 - FTM newsletter
1993 - Minnesota first state to ban transgender discrimination
1993 - "Don't ask don't tell"
1996 - First day of Silence
1998 - Tammy Baldwin
1998 - Matthew Shepard
1999 - American Counseling Assoc. Gov Council - "reparative therapy" does not work.
2000 - Vermont legalizes civil unions
2003 - Lawrence v Texas
2008 - Prop 8
2011 - Don't Ask Don't Tell was repealed
2013 - Obama speak for same-sex marriage

There's A Law, Now What?:

FAIR Education Act 2012

Must include historical contributions

All Ethnic Minorities

People overcoming disabilities

LGBT People

Reason is to stop bullying

CA Social Science Framework Standards already begin to address, but state standards have lagged behind.

<https://safesupportiveschools.org/>

AB 9 passed in 2012

Seth's Law AB 537

Strengthen anti-bullying laws

<https://www.aclusocal.org/en/seths-law>

"Seth's Law specifically contains the following requirement: "If school personnel witness an act of discrimination, harassment, intimidation,

or bullying, he or she shall take immediate steps to intervene when safe to do so." (Education Code Section 234.1(b)(1))”

AB 1266 passed in 2012

Pupil Rights: Sex-Segregated School Programs and Activities

<https://www.cde.ca.gov/re/di/eo/faqs.asp>

“Consistent with our mission to provide a world-class education for all students, from early childhood to adulthood, the California Department of Education issues the following Frequently Asked Questions (FAQs) in an effort to (a) foster an educational environment that is safe and free from discrimination for all students, regardless of sex, sexual orientation, gender identity, or gender expression, and (b) assist school districts with understanding and implementing policy changes related to AB 1266 and transgender student privacy, facility use, and participation in school athletic competitions.”

<https://www.aclusocal.org/en/know-your-rights/lgbtq-student-rights>

Revealing a student’s gender identity or expression to others may compromise the student’s safety. Thus, preserving a student’s privacy is of the utmost importance. The right of transgender students to keep their transgender status private is grounded in California’s antidiscrimination laws as well as federal and state laws. Disclosing that a student is transgender without the student’s permission may violate California’s antidiscrimination law by increasing the student’s vulnerability to harassment and may violate the student’s right to privacy.

AB 329 passed in 2016

Enacted January 1, 2016, this law integrates the instruction of comprehensive sexual health education and HIV prevention education. The bill renamed the *California Comprehensive Sexual Health and HIV/AIDS Prevention Education Act* to the *California Healthy Youth Act*. The bill requires school districts to ensure that all pupils in grades seven to twelve, inclusive, receive comprehensive sexual health education and HIV prevention education.

<https://www.cde.ca.gov/ls/he/se/>

[CA Healthy Youth Act Toolkit Portfolio](#)

Teachers and the Law:

Union-representation when in an “investigatory interview” when believe that discipline may result

Can have a rep for disability meetings, religious exemption,

Neither the school nor HTA has to allow for the member choice to the rep for the meeting. BUT if the members choice is available, the school can NOT demand another rep.

Employees must request

Representation can be for in person or written investigation (for instance - admin asks for a written statement)

If you are a witness called in for an investigation of another employee - there is no legal right to have union rep

You have a right to be informed of the subject matter of the interview - has to be more than a generic - insubordination or incorrect use of social media...

NLB PERB - **must have specific information to allow meaningful representation**

We are not entitled to the initial written complaints before the investigatory interview. We can get the copies of the complaint if we are grieving after the meeting is done.

The accuser may be entitled to confidentiality.

Discipline that can lead to criminal charges - ask the member to contact an attorney

Contact CTA Staff Rep

If there is an officer at a meeting - postpone the meeting and get an attorney

Tell the employee not to speak

You can rep yourself, but please don't

You can not be told to stay silent - don't be a potted plant.

Take notes, ask clarifying questions, object to intimidating or harassing questions

1. Reason for interview
2. Meet privately with employee - employee can't ask about the interview, but law officers can. Don't let the member admit to criminal activity to you
3. Object to intimidating questions
4. Ask clarifying questions
5. Warn the employee to stay calm
6. Provide information to justify the employee's actions
7. Take careful notes

Penal section 632 - you can object to recording meetings
You can only record if everyone consents to the recording

Unlawful directives that ban employees communication:

PERB decision no. 2613

Employees have the right to communicate with each other even about investigations - you have the right to find witnesses in your own defense regarding the investigation.

The employer would have to provide evidence that would support their claim that the employee can not speak with fellow employees.

Notices of unprofessional conduct

EC 44938(a)

Must give 45 days notice for unprofessional conduct to be fixed

EC 44938 (b)

90 days for unsatisfactory performance to be fixed

EC 44031 (b) (1)

A notice must be given if a derogatory information is placed in a personnel file. Employee can write a written response/rebuttal that must be included in the file

Have the member keep detailed notes for themselves, but they do not have to include every detail in their response

Mandatory meeting to prior to discipline up to a 15 day suspension

EC 44944

There is a four year rule about using past allegations against you - this does not apply to sexual accusations

Employer must report to CTC if an unpaid suspension of more than 10 days

5 CCR 80303

Check CBA for "Just Cause" 18.1.4

1. Given warning/notice?
2. Rule or order reasonable?
3. Was there an investigation?
4. Was the investigation fair and objective?
5. Did it produce substantial evidence or proof?
6. Were the rules followed without discrimination?

7. Does the punishment fit the misconduct?

Make sure we follow the grievance procedures TIME LINES

Ask for broad remedies

Conference summaries are more coaching than discipline and normally do not require a rebuttal - conference summaries do not go in the employees file

If they have statements that you violated board policy and that discipline could happen if you if you don't change - "derogatory nature"

EC 44031

GRIEVANCES

1. You are the administrator's equal
2. Prepare facts and arguments in advance
3. How will management respond
4. Prepare the grievant to maintain a united front
5. Know remedy range
6. Take clear notes
7. Don't accept no without an answer

Under EERA , you can use an email, right to request and receive all relevant information from the employer regarding grievances and which relate to administration of the CBA.

You can include docs and explanations for the Employer's conduct

District can not question union subpoenaed witnesses - violates protective activities for fair representations "chilling effect"

Johnnie's Poultry safeguards - investigatory interviews re protected union activities - things before the arbitration of grievances

Has to be voluntary and no reprisals

If we ever receive a subpoenas or depositions - contact PCS and Legal department

Discipline for Workplace Social Media Use...

On Duty during the workplace or on the district computer!

YOU WILL BE DISCIPLINED

Look for consistency in enforcement to try to reduce punishment

Do not post about students, schools or communities

Personal interactions with students

Do not post objectionable material

Ramar@CTA.org

Sacramento Scene:

Legislative Process

State Assembly - Randy Vopel area 71

State Senate - Melissa Melendez area 28

CTA State Council 700+ members state wide

Bills we have sponsored

AB 1667 -

We will be justly compensated for benefit reductions that stem from employer and CALSTRS reporting errors. Right now the employee has to pay for all mistakes regardless of who made the mistakes. The mistake needs to be paid for by the entity at fault. If CALSTRS made the mistake it gets paid 85% state / 15% employer

Passed both committees in Sacramento with unanimous votes

SB 868 -

One time permanent adjustment applied to the total current benefits that is being paid to CAISTRs prior to 1999

Helps CALSTRS in most need of assistance while maintaining SBMA (Supplemental Benefits Maintenance Account) integrity and its ability to protect from long term inflation.

AB 2573 -

Allows for permanent status where the ADA is less than 250.

Failed deadline

AB 2034 -

Helps schools drawdown additional federal Medi-Cal funds to cover the costs of student physical and behavioral health services

Expand access to school-based services

Would have been 1.2 Billion / fear of a weak auditing system

Failed the deadline

AB 1752 -

40% of the faculty are part-timers. They do not receive % pay equivalent to full time staff like k-12 teachers do on partial contracts
Ensures that part-time faculty are being compensate for work that they are required to do in and out of the classroom across California Community Colleges
Requires CCC districts to pay part-time faculty at least the same ratio to the full-time faculty for comparable duties
Failed the deadline

The bills that failed the deadline may come back, but this is the end of a 2 year legislative process and all unpassed bills have to restart.

Labor Bills

AB 2675 - we did not support
Extend probationary period for cert educators to up to four years - did not get a hearing

Bills we supported - may get signed into law
AB 257 Fast Food Acct Act
AB 2183 Farmworkers Agricultural Labor Relations Voting Choice Act
SB 931 Penalties on bosses who discourage workers from joining or participating in the union - very little teeth in the law currently

(Cal Baptist President tells teachers in their credential programs to not join unions)?
Comment from a few people on the floor

Equity and Fairness

AB 408 - homelessness annual training and compliance
AB 1655 - Juneteenth holiday
Signed (9/25/22) - AB 2022 - removes the word 'squaw' from all geographic features places and names
AB 2774 moved to inactive - expands the definition of unduplicated pupil for LCFF by adding a pupil who is classified as a member of the lowest performing subgroup or subgroups
SB 1173 died in Assembly PERS - prohibits CalPERS and CalSTRS from making investments in a fossil fuel company
CTA advocates that we only do this if an equal returning investment can be made. We have a responsibility to be able to maximize our investments - voters of California to CalPERS and CalSTRS

Teaching and Learning

AB 1614 - increased LCFF base grants to national average - no hearing
AB 2047 - Eliminates a test to get teaching credential - no hearing
SB 70 - makes kindergarten mandatory 2024-2025 year - gov's desk
SB 830 - Shifts funding from ADA to enrollment with significant funding
designated to chronic absenteeism - CTA was neutral
SB 1044 - additional funding for K-3 to 20-1 class sizes

Quality Affordable Care

AB 1400 - Establishes Cal Care to provide comprehensive universal single-payer health care coverage. Died / would cost \$500 Billion dollars twice our budget. Would it save money overall if we double our taxes but pay no health care costs?

AB 2530 - If out on strike you get your health care through covered
california

SB 838 - government-run manufacturing for generic drugs limited to
insulin

***AB 152 extends covid bill until the end of the year - most likely to be signed. 80 hours not 80 new hours - just for people who hadn't used it.