

In an effort to help TUSD employees sort out some of the information they have heard of late, TEA would like to provide information based on the Consensus Agreement (CA) and White Collar/Food Service (WC/FS) Agreement. Both agreements are available on the TEA website, www.TucsonEA.org, under the "Negotiations" section. We usually communicate with our members only, but changes and insecurity have a tendency to make rumor mills spin around a little faster than normal. We believe firmly that all employees need to know the facts based on existing procedures and protocols.

A couple of terms are used consistently below: **MBUs** = Members of the Bargaining Unit, certified employees represented by the Consensus Agreement and **ESPs** = Education Support Professionals, classified employees represented by the WC/FS Agreement

Myth	Reality
1. Only people who received a notice by April 15th can be laid off.	<p>MBU: By state statute, <i>probationary</i> certified (contract) employees had to receive notice of "Reduction in Force" (RIF) by April 15th. <i>Continuing</i> teachers (more than three years) can be RIFed, but must receive notice by May 15th. TUSD Human Resources has announced that there will not be any need for an additional RIF. (However, TUSD will most likely send a letter by May 15th to all continuing certified employees, per state statute, to notify them that they may be subject to a general salary reduction for 2009-2010.)</p> <p>ESP: There are no state statutes that drive how classified employees are laid off. In TUSD, the process is based on what has been negotiated. Per the WC/FS Agreement, ESPs are supposed to be given as much notice as possible, but no less than two weeks. ESPs who were hired before July 1, 2004 are not supposed to be laid off.</p>
2. The District is looking at a \$43 million cut due to the legislature.	Approximately \$8 M of the projected \$43 million cut is due to a drop in student enrollment in TUSD. The other \$35 M are projected cuts being promoted by the Arizona State Legislature and the Governor.
3. TEA or TUSD surveyed employees electronically about furlough days.	The email that was sent to employees regarding furlough days was NOT put out by the TEA Bargaining Team nor by TUSD. It was sent by an individual employee. [Currently, TEA has negotiated the right to use the District's (snail) mail service for Association business, but not electronic communication.]
4. Principals/supervisors can decide who gets DITed.	<p>MBU: Wrong! The process for DITing is delineated in Article 8 of the Consensus and the Memorandum of Agreement (MOA) negotiated to clarify the process. (See "Memo" at www.tucsonea.org/Basic%20Information%20RIF%20Layoffs.html for more details.) DITs are not a substitute for evaluation or discipline. However, the affected employees must be given official notice by their supervisor. Certs. may NOT bump a current employee with less seniority out of a position.</p> <p>ESP: Wrong! The process for involuntary transfers is delineated in Article 12 of the WC/FS Agreement. Forced transfers are not a substitute for evaluation or discipline. However, the affected ESPs must be given official notice by their supervisor. ESPs may have the ability to bump someone out of a position with less seniority within their classification or a comparable one.</p>
5. I'm an employee of my school.	You are an employee of TUSD, not of your school or site. You are assigned to a specific TUSD location.
6. TEA recently changed the definition of "program."	The use of the term "program" when considering DITs has been in the CA since at least 1989.

Myth	Reality
7. TEA is not doing anything to support us in this budget crisis.	Thankfully, there are some very committed members who have contacted their legislators and the Governor to tell them to fully fund public education; they have attended rallies in front of the Governor's Tucson office - and some have organized support activities at their schools. Granted, it would be much more effective if all 3,000 members participated in these activities. (Look for future opportunities to do so.) In addition, TEA leaders and staff have been meeting regularly with TUSD leaders to ensure negotiated rights are being respected in dealing with the severe projected budget cuts. TEA is recognized state-wide as the most politically active local in the Arizona Education Association.
8. Furlough days could save thousands of jobs.	Assuming <u>every</u> single TUSD employee was to do so, it would require 32+ furlough days to save all the positions that are being considered for elimination.
9. People can volunteer to be a DIT.	<p>MBU: In a way. Once a supervisor announces that there is a need to DIT (district-initiated transfer) MBUs from a building, department, or program, then s/he is to announce a three-day period to seek volunteers to be the <i>designated</i> as DITs. However, if a site, department, or program does not require any DITs, <u>then no one can volunteer to be one.</u> (In normal years, MBUs would have been able to voluntarily transfer between March and the end of June.)</p> <p>ESP: No. ESPs simply apply for positions and voluntarily transfer. However, there are not many positions available for 2009-2010.</p>
10. If an ESP position is eliminated, it means the person that is in the position has to go.	No; an elimination of a position does not necessarily mean the person will be laid off. The WC/FS Agreement allows for a person whose position is eliminated certain rights to transfer to a comparable position at the current site, based on the classification, current work hours, and seniority.
11. A full or part-time ESP may have an unlimited reduction of hours.	Per WC/FS Article 12-2, a part-time or full-time ESP cannot have their hours reduced below four hours per day.
12. TUSD can use override money any way it wants to.	Wrong! (TUSD is one of only two districts in Pima County that operates <i>without</i> override funds.) The unsuccessful 2004 & 2008 TUSD override elections specified how the funds would have to be used, e.g., librarians/counselors, class size reduction, fine arts, incentives for hard-to-fill positions, safety and health needs, etc. Had the override passed in November of 2008, much of the current costs in the Maintenance and Operations budget could have been covered by the funds collected through the override.