



**Chula Vista Classified Employees Organization
Negotiations with the Chula Vista Elementary School District**

Update #5

July 15, 2011

The CVCEO Negotiations Team met with the District on July 13, 14 and 15, 2011 to continue negotiations toward a new Agreement.

Of the nine (9) remaining Articles where we did not yet have a tentative agreement, CVCEO and the District were able to tentatively agree on seven (7) of them. Specifically, CVCEO and the District reached a tentative agreement on:

- Article 3 (District Rights)
- Article 4 (Organization Rights)
- Article 5 (Wages)
- Article 8 (Hours)
- Article 11 (Transfer and Promotion)
- Article 12 (Job Descriptions)
- Article 24 (Sick Leave)

In addition, CVCEO and the District signed a side letter agreeing to continue negotiations for an Early Retirement Incentive Program. This side letter allows us to continue discussions with the District over such a program without delaying an overall agreement on a new contract. These discussions will continue on August 4.

The two remaining Articles where CVCEO and the District were not able to reach a tentative agreement are Article 31 (Grievances Procedure) and Article 41 (Discipline Procedure). Unfortunately, the disagreement between CVCEO and the District on these two Articles is both significant and profound. Basically, CVCEO is insisting that it have the right to appeal disputes to a neutral third-party (a process known as arbitration) – a right that classified employees in other District, and certificated employees in this District, currently have. The District, meanwhile, is resisting this – though it has yet to explain why our members should have fewer rights than other employees. And it is worth emphasizing that **the unresolved issues between CVCEO and the District are about our rights – they are NOT monetary.**

Given how far apart CVCEO and the District are on these two (2) Articles, we have agreed that further direct negotiations would not be productive. Therefore, on Monday, July 18, we will jointly request that the Public Employment Relations Board (PERB) determine that negotiations are at an impasse and appoint a mediator. We are cautiously optimistic that the assistance of a mediator will allow us to overcome our differences quickly and reach an overall Agreement for the membership to ratify.

We will keep you posted on any further developments. In the meantime, we encourage all members to attend **the next CVCEO General Meeting on Wednesday, July 27 from 5:30 – 7:00 P.M. at the ESSC Room C.**

CVCEO Negotiations Team:

Ernie Gutierrez (CVCEO President)
Pat Miller (VP of Employee/Employer Relations)
Susan Bacerra (CVCEO Secretary)
Jim Oxford (Health and Welfare Committee)
Vanessa Valdivia (Parkview Secretary)
Ricardo Ochoa (Attorney)

Executive Board Members

Ernie Gutierrez • Tamsie Pierce • Pat Miller • Kathy Martinson • Susan Bacerra • Dali Monroy • Mary Gantz