



**Chula Vista Classified Employees Organization  
Consultations with the Chula Vista Elementary School District Regarding Layoffs**

Update #1

June 5, 2012

CVCEO met with the District on May 31, 2012 to discuss the implementation of layoffs, as well as the use of “substitutes” who are not actually substituting for a current employee.

**LAYOFFS:**

The week before the meeting, CVCEO succeeded in stopping the District from terminating the health benefits of employees who received a layoff notice on May 31. Thanks to CVCEO’s efforts, all health insurance will continue until June 30.

At the meeting on May 31, CVCEO informed the District that approximately 10 Student Attendants at Rogers were improperly given layoff notices out of seniority order. It is CVCEO’s position that these layoff notices must be rescinded.

CVCEO and the District also agreed to review any other issues regarding layoffs as they arose. We will be meeting on June 12, 2012.

**CVCEO encourages all classified employees to review the current seniority list and make sure that you are receiving credit for all positions you have worked in the District. If you believe your layoff notice is improper for any reason, please contact CVCEO right away.**

**SUBBING FOR NOBODY:**

CVCEO had previously informed the District that the practice of using “substitutes” who are not substituting of a current employee is a violation of the Education Code and that any such “substitutes” automatically become classified employees with a contract. On May 9, the District provided many of these employees with a notice informing them that their services would not be needed after June 30 and that, if they believed they were entitled to be treated as classified employees, this notice was to serve as their layoff notice. As shorthand, CVCEO and the District are referring to this notice as the “Precautionary Notice”

At the meeting on May 31, CVCEO informed the District that there are other current “substitutes” who are not substituting for a current employee and who did not receive this Precautionary Notice. CVCEO further pointed out that the failure to provide these substitutes with such a Precautionary Notice likely means that classified employees in that classification were improperly issued a layoff notice out of seniority order.

CVCEO also noted that prior and current “substitutes” are likely owed back pay and seniority credit.

CVCEO and the District agreed to conduct further investigations and discuss further how to resolve this issue.

**If you have worked in the past as a “substitute” and were not substituting for a current classified employee, please contact CVCEO so that we can ensure you get credit for seniority for that service.**

**Executive Board Members**

Ernie Gutierrez • Vanessa Valdivia • Pat Miller • Angela Reed • Susan Bacerra • Migdalia Monroy • Mary Gantz