

CBLT Bargaining Minutes

8/20/20

Virtual: ZOOM

1. CTA Opening

- a. The president delivered an opening statement objecting to the initiation of F2F instruction beginning tomorrow (8/21/20), as the plan the District was rolling out was insufficient. The president had listened to meetings conducted by the Medical Advisory Committee and OCPS leaders were not taking their advice. The District was engaging in unsafe practices. CTA continued to wait for answers to questions related to the District's COVID Manual submitted two weeks ago (8/6/20).
- b. District stated that there were many questions (59) and they were working on attaining the answers.

2. CTA Sick Leave Discussion

- a. CTA had been informed by District leadership that they heard talk of large numbers of teachers taking sick leave tomorrow, on the first day of F2F (8/21/20), as a mechanism to protest reopening schools.
 - While CTA had not heard about this specifically from teachers, they did review the School Board policy that allowed administrators to ask for doctors' notes; CTA believed that this was a terrible precedent to set.
 - People may feel forced to go to work if they cannot get a same-day appointment.
 - People with COVID symptoms may feel compelled to come in, risking spread.
 - In some cases, this may cause teachers unnecessary doctor expenses.
 - Requiring doctor notes sends a message of distrust and disrespect towards teachers.
- b. District responded that they did not intend to require doctors' notes from all staff who were sick on the first day of F2F unless they observed large numbers that might indicate a "sick out" or "blue flu," at individual schools or across the district.
 - CTA reiterated that they were not endorsing any such action from their members.

3. Air Purifiers

- a. CTA voiced their opposition to the District's position about refusing donations of air purifiers, as well as prohibiting teachers from purchasing them for their classrooms.
 - CTA objected to the District's argument that this was an equity issue, as inequity already existed and district-wide examples were shared, such as teachers being assigned different sized rooms, some with sinks and bathrooms, others without.
 - Furthermore, air filters being used were not COVID-proof based upon feedback from Dr. Nielson who was a member of the Medical Advisory Committee. Filters should be a grade 13 not 12.
 - Every teacher should be permitted to use an air purifier, not just those eligible for ADA accommodations. Some have purchased these already and spent hundreds of dollars only to be told they cannot use them.
 - Teachers were working amid a pandemic and are being discriminated against when barred from using an air purifier in their room.
 - CTA objected to the use of the term "equity" in a discussion about air purifiers, as it diminished the term's meaning for more significant, real equity issues, such as equity for minorities.
- b. District requested additional information about this concern
 - CTA replied that school partners at Baldwin Park school had purchased air purifiers for all classroom and were refused delivery. CTA found this unreasonable and unsafe.
 - District would attempt to get their subject matter expert, Jennifer Fowler, to join this bargaining session later in the day to provide a response.
 - CTA voiced disappointment, as once again, there was no District expert at the table.

4. District's Response to CTA's Opening Remarks

- a. The District maintained that it was safe to re-open and begin F2F tomorrow. They had taken multiple measures, including advice from the Medical Advisory Committee, and had frequently modified their

COVID manual which was now on the third version. Additionally, there was a new School Board Policy crafted for face coverings developed on 8/11/20.

- The District had also created videos and provided reminders and memos to teachers, staff and families through email, adding that CTA had been provided copies.
- b. The District's position on the proposed Reopening MOU presented by CTA on 8/4/20 had not changed.
- They were unable to agree to any of the gating criteria described.
 - They could not agree to #6 which outlined how students were assigned to teachers. There were many students changing from LaunchEd@Home to F2F and the numbers were constantly changing.
 - It was impossible to agree to #53 which prevented the practice of teaching LaunchEd@Home and F2F simultaneously. The numbers did not work out evenly and flexibility, school to school, was needed.
- c. CTA stated that they disagreed with the District's stance about being ready and safe to open F2F tomorrow. They had hundreds of emails from teachers to the contrary. THEY did not feel safe.

5. Class-size

- a. CTA has heard the District state that their class-size waiver offered them the flexibility of not adhering to class-size mandates. While this might be the case, CTA believed that District leadership had a moral and ethical responsibility to disperse children throughout classrooms to minimize spread of the virus.
- b. Teachers were being assigned too many children in F2F classrooms without adequate distancing which was particularly impossible at the elementary level.
- c. Many teachers instructing LaunchEd@Home students also were reporting unreasonably large class sizes.
- d. One CTA team member spoke of Freedom HS's ability to keep class-sizes down, particularly F2F, with predominately ten or less students in the classroom.
- If the second largest high school was able to be creative and tackle the scheduling challenges for safe class sizes, all work sites should be able to do so with innovative problem solving.
- e. District understood CTA's position but voiced that the demands for classes varied from school to school.
- CTA asked if the District was saying that safety varied from school to school. In other words, at some sites CDC guidelines would be followed, but not at others.
 - District retorted that they did not say that. Their guidelines called for space of 3-6ft between students at all school sites.
- f. CTA requested a list of the current numbers of students participating in F2F, LaunchEd@Home, and Orange County Virtual for each school.
- g. District stated that these numbers changed daily but would provide the most recent figures. District requested information on schools that CTA believed had unsafe classrooms.
- h. CTA read contract language VI. K related to teachers refusing to work in hazardous situations and CTA stated that they would be advising teachers to exercise this contractual right.
- District stated that the language also required staff to bring safety concerns to management's attention and give them an opportunity to resolve it.
 - CTA responded that they had been bringing these concerns to management's attention for months. Furthermore, the District was not even following the advice of their own medical advisors.
 - District countered that their Medical Advisory Committee never said that they should not open F2F.
 - CTA stated that Dr. Nielson voiced that it was unsafe and she was on that committee.
 - District responded that the committee's 8/14/20 letter to the School Board did not say that opening schools F2F was unsafe. District would not speak to any comments that were made by committee members as part of an FEA lawsuit.
 - CTA asked if anyone on their Medical Advisory said that it was safe to reopen F2F?
 - District recommended that CTA read their letter and decipher what they wanted. District was not finding it productive to sit here and have CTA yell at them. District asked if CTA had anything else they wished to talk about and asked if they should consider a caucus.

- CTA rejected the suggestion of a caucus and indicated that they had other topics to address.

6. Substitutes

- CTA read information about substitutes and training from the Kelly Services website and voiced concerns that there were no substitutes during the first 9 days of school when all students were participating LaunchEd@Home.
- District explained that they were working on the barrier of connecting these individuals with technology and the OCPS digital platform.
- CTA asked if subs would be available starting tomorrow for the first day of F2F since many students would be instructed through CANVAS.
- District stated that subs were going through training and would have access to what they need from the first day of school. If there were not enough trained Kelly subs available, there would be staff on campuses that could link subs to a teacher's CANVAS course.
- CTA replied that the District was not ready. Teachers had not been informed on how this would work and had concerns about subs accessing and making changes to a teacher's CANVAS page.
- District added that teachers were also informed to leave a non-technology substitute lesson plan.
- CTA questioned how that would work with LaunchEd@Home users, not seeing that as a very solid plan.
- CTA planned to distribute a survey to teachers inquiring to their knowledge of sub planning.

7. Nurses

- CTA stated that the latest COVID manual revision spoke to separate clinics for sick (COVID symptomology) and non-COVID symptomology, such as medication distribution and skin abrasions. School were reporting that not enough staff existed to cover separate individuals in each room as outlined in the manual, or in other cases that the better-trained staff member was assigned to the sickroom, potentially leaving responsibilities such as medication distribution in the hands of a substitute.
- District stated that changes to their COVID manual were ongoing and often are published on Fridays. Stakeholders were informed through multiple mechanisms such as News You Can Use and Connect Ed messages.
- CTA requested to be copied on anything that went out through each of these communication channels.
- District requested the school sites where CTA had heard about clinic staffing issues.
- CTA asked why the District was not aware of their own staffing issues. How could the District say they had a plan and that schools were safe and then ask CTA to provide them with clinic information. The District plan was poor, and they remained unprepared.
- District disagreed. They would send an email to Dr. Vasquez informing her of CTA's concerns.

8. Waivers

- CTA asked if the District had any intention of requiring waivers.
- District responded that they did not.

9. Final Comments

- CTA asked if the District were willing to step back and identify the items in their Reopening MOU proposal that they could agree to.
- District reminded CTA that they had three non-starters. If the entire MOU was attached to a gating criterion, this was a difference too huge to ignore.
- CTA voiced that it would be a waste of time to talk about small sections of the MOU proposal. The District continued to make unilateral decisions that illustrated no respect for teachers. Staff were being forced to work in tiny rooms with poor ventilation and improper distancing. This would have to be settled by a Special Magistrate or the School Board.
- District asked if this meant that CTA no longer wanted to bargain Reopening and requested that the record reflect that CTA wished to hold discussions in abeyance.
- CTA retorted that this was not what they said. Their message was that the District's plan was unsafe.
- District stated that their team would always remain available to discuss health and safety issues.

10. Next CBLT meeting:

- TBD. CTA requested available dates to discuss wages.