



At a time when the academic, physical, emotional, and mental well-being of our students and employees are paramount, management organizations like the Association of California School Administrators, California Association of School Business Officials, California County Superintendents Educational Services Association, California School Boards Association and the Small School Districts' Association have been collaborating with labor organizations, our state Superintendent of Public Instruction, and representatives for Gov. Gavin Newsom to help districts more expeditiously and seamlessly implement their plans for providing high-quality distance learning, serving meals, caring for younger students and paying employees.

This joint document provides agreed-upon basic principles of current school priorities and is meant to serve as a framework for labor-management collaboration. This document is not intended to abrogate, revise or affect any current law, regulation or executive order; nor does it purport to be official guidance from the California Department of Education. The framework intends to assist those parties who are working to reach agreement and is not intended to be used to disturb any memoranda of understanding already reached between local education agencies and bargaining units.

### **The intent is to clarify and promote the following:**

- Especially in these times, we should be collaborating and consulting with our labor partners regarding assignments, workloads and public health concerns.
- Paying employees through 2019-2020 is contingent upon schools, county offices of education and colleges receiving their full-year funding.
- If employees are paid through 2019-2020, classified and certificated employees should be expected to complete any assignment that is reasonably similar to their assignments before COVID-19 and any additional assignments would need to be negotiated at the appropriate time.
- While there is an acknowledgment that emergency declarations, to date, have not suspended obligations to bargain, both management and labor organizations agree that the priority must be essential service to the public while maintaining employee safety. Management and labor organizations agree that providing essential service to the public may result in the need to take significant and time-sensitive actions, and while those essential services may trigger the obligation to bargain, that bargaining should happen as soon as practicable, but not in place of or impeding the provision of the essential services to the public.
- Local Education Agencies should not deduct from accrued leave in the case of COVID-19 health-related absences. If an absence is not COVID-19 health-related, accrued leave may be deducted unless an employee has dependent-care needs. In that event, accrued leave may be deducted only after the employer has offered no-cost childcare and the employee has refused.
- Currently, school district and county office of education employees have not been ordered to report to work as disaster service workers pursuant to Gov't Code § 3100. If at any point Gov't. Code § 3100 is effectuated, this framework was not intended to apply and should not be applied to disaster service worker assignments.

Our organizations recognize the extreme challenges our respective members face in these unrepresented times. Our coalition is committed to continuing to work on your behalf to ensure you have the support you need to serve our state's students.