



BEVERLY HILLS EDUCATION ASSOCIATION

Educational Employees Working Together

Web: BHEA.org

241 Moreno Drive, Beverly Hills CA 90212

Phone: (310) 277-9364



CONSENSUS

A Newsletter for BHEA Members
June 2, 2008



District's Projected Budget Improves by Millions of Dollars

- More robust "Basic Aid" officially projected to replace ADA as main revenue engine within three years. Projected increases in operating costs and supplies dramatically scaled back since March.
- On paper, prospects brighten considerably for achieving agreement on total compensation. Board set to discuss negotiations in closed session tomorrow. A new direction is possible.

Analysis

At the May 30 Board study session, our administration unveiled district budget numbers that added millions of dollars to the bottom line compared to the last official budget projections from mid-March. Offered two scenarios, our Board opted for the one that projects higher ending balances. The magnitude of the improvement was considerable. Before factoring in reserves, our district's projected ending fund balance for 08-09 is \$6.6 million, or \$1.2 million higher than the March projection. The ending balance for 09-10 is \$7.7 million, or \$3.2 million higher than projected in March. Finally, the ending balance for 10-11 is \$9.5 million, or a staggering \$10.1 million higher than projected in March. According to the March report, our district was projected to end 10-11 with a \$634,350 deficit. Current projections show a \$9,515,410 surplus.

The major reasons for the dramatic improvement can be looked at from both the revenue and the expenditure sides:

Revenue:

Moving to basic aid, or local property tax, funding in 10-11 increases revenue for

that year by \$2.7 million compared to the latest projected ADA funding. Compared to ADA funding projections from the March report, basic aid brings in \$3.9 million more. Also, local revenue projections were increased by about \$0.5 million a year starting in 08-09. JPA revenue from the City, the largest component of local revenue, is still projected to be flat because a new agreement between the district and the City is still being actively negotiated. The current JPA expires this summer.

Because suspension of Prop 98 is no longer being considered in the May revision to the state budget, some of the ADA cuts for 08-09 and 09-10 have been removed from our district's latest budget. This resulted in revenue increases of \$0.6 million in 08-09 and \$1.0 million in 09-10.

Expenditures:

Expenditures on services and other operating costs in 10-11 are now \$2.0 million less than projected in March. Expenditures on books and supplies in 10-11 are \$1.1 million less than projected in March.

Impact on Bargaining

On paper, the bargaining landscape has markedly improved. According to the

budget scenario currently under consideration, our district can afford to fund compensation increases that were actively being discussed last fall and sustain these increases through 2010-2011. The Board meets at 4:30 p.m. on Tues., Jun. 3 for closed session. One of the closed session items on the agenda is titled "NEGOTIATIONS UPDATE."

BHEA continues to believe that a fair settlement on salary and benefits enhancements can be reached for this school year. BHEA is optimistic that our Board of Education will allow its negotiating team to return to the bargaining table with the same authority to talk about money that it had last fall. With rising gasoline and food prices throughout this school year—and with no end in sight—our members continue to feel the pain of not having achieved agreement with our employer on total compensation enhancements. Over 90 settlements between unions and school districts in California have been reached since January.

As soon as BHEA has more news on any developments on the negotiations front, we'll let you know.

COMPARISON OF DISTRICT BUDGET FIGURES FROM PROJECTIONS MADE IN MARCH 2008 TO PROJECTIONS MADE IN MAY 2008 (in millions of dollars)								
	2007-2008		2008-2009		2009-2010		2010-2011	
	March	May	March	May	March	May	March	May
Projected Ending Balance	\$4.7	\$4.8	\$5.4	\$6.6	\$4.5	\$7.7	(\$0.6)	\$9.5
Total Reserves	\$2.9	\$2.9	\$2.7	\$3.1	\$2.7	\$3.1	\$2.8	\$3.1
Balance After Reserves*	\$1.8	\$1.9	\$2.7	\$3.5	\$1.8	\$4.6	(\$3.4)	\$6.4
Increase to Balance After Reserves	\$0.1		\$0.8		\$2.8		\$9.8	

In memory of BHHS senior Bianca Khalili, who died tragically last week.

MORE NEWS ON BACK...

* The district's "balance after reserves" represents money available to be bargained for compensation purposes.

Fundamental Disagreements Between BHEA and BHUSD Send Two Matters to Court

Layoff Fallout Will Likely Land in Court as BHEA and BHUSD Disagree on Key Issues

Asst. Supt. of Human Resources Sal Gumina has officially notified BHEA in writing that the district will not agree to bargain the impacts and effects of its decision to layoff certificated unit members. Further, Gumina wrote that the district will not agree to bargain the decision to implement "partial layoffs" nor will it agree to bargain the impacts and effects of these partial layoffs. A partial layoff is a reduction in the hours or work year for an assignment, e.g. changing an assignment from full-time to part-time.

In an effort to safeguard our members' rights, BHEA sent formal demand-to-bargain memos to BHUSD in response to the district's layoff actions. The district's unwillingness to engage BHEA on these matters at the bargaining table leaves our union no choice but to file the necessary paperwork with the Public Employment Relations Board to initiate a multi-count unfair labor practice charge. BHEA does not take these matters lightly. CTA has reviewed our claims and believes that we have solid legal precedent on our side to pursue fair settlements for all of our members affected by this year's layoffs. Some of the effects of layoffs include loss or reduction of income, loss of health benefits and other insurances, and involuntary transfers.

In July of 2007, BHEA filed a 10-count unfair labor practice charge against BHUSD where we alleged a variety of labor law violations. This charge is still winding its way through PERB.

BHEA Set to Fight BHUSD in Court on District's Refusal to Bargain Solicitations of Voluntary Work

• El Rodeo's "optional" mentoring program is at issue.

Asst. Supt. of Human Resources Sal Gumina has officially notified BHEA in writing that the district will not agree to bargain the compensation of work performed by our unit members when such work is advertised as "optional." The issue arose from the implementation earlier this year of a mentoring program at El Rodeo whereby teachers took on extra duties by serving as mentors to selected students. Although BHUSD points to administrative e-mails indicating that participation as a mentor was advertised as "optional," BHEA believes that this is beside the point. Additionally, BHEA has received feedback from some ER members that they felt pressured into participating into the program so as not to be seen as unwilling to help students.

BHEA will vigorously defend its members. CTA believes that California labor laws prevent districts from soliciting free labor from their employees. Monetary compensation is a mandatory subject of bargaining under California law. BHEA has demanded to bargain the compensation of unit member work performed under this mentoring program. We believe that the district is legally obligated to negotiate a settlement. Since our district has refused to bargain the issue, BHEA will file an unfair labor practice charge with the Public Employment Relations Board to have this matter reviewed by the courts.

BHEA believes that there are important legal principles to uphold in this case. If BHEA unit members are asked or pressured into performing free work on this occasion, then such a practice could become increasingly common anytime our district is either unwilling or financially unable to compensate work that it would like performed. BHEA believes that our members deserve to be appropriately compensated for all work that we perform on behalf of the district.

IMPORTANT DATES

- Jun. 3: BHUSD Retiree Celebration, 3:30 p.m. at district office.
- Jun. 3: Board of Education meeting.
- Jun. 10: Board of Education meeting.
- Jun. 12: BHEA Representative Council

meeting.

- Jun. 20: Last day of service for certificated staff for the 2007-2008 school year.
- Jun. 30: First day of summer school.

- Jul. 2: Certificated bargaining session.
- Jul. 10: Certificated bargaining session.
- Jul. 17: Certificated bargaining session.

According to the U.S. Dept. of Labor, compared to a year ago gasoline prices are up 21%, bread prices are up 14%, and milk prices are also up 14%. According to the U.S. Dept. of Energy, the average price of a regular gallon of gasoline in California is now \$4.24.



ABOVE: Photograph from CTA Lobby Day in Sacramento on May 20 BHEA Pres. Chris Bushée poses for a picture with Assembly member Paul Krekorian on the floor of the Assembly at the Capitol building in Sacramento. Krekorian gave Bushée and other union leaders a tour of the Assembly chamber. Bushée told Krekorian that cuts to the state education budget are unacceptable. Also photographed are CTA Director Bonnie Shatun (far left) and two members from CTA's Burbank chapter.

Recap of Organizing Activities So Far...

- OA #1: Completed. On May 6, BHEA Pres. Chris Bushée delivered to the Board of Education 223 signed copies of a letter from BHEA members asking the Board to rescind layoff notices and to jumpstart compensation talks.
- OA #2: Completed. On May 20, Bushée delivered to lawmakers in Sacramento 256 signed copies of a letter from BHEA members and BHUSD parents asking legislators to spare education from cuts.
- OA #3: Completed. On May 14, BHEA members across the district wore buttons that said "Provide for Those Who Provide for Our Kids," a message aimed at Sacramento politicians.
- OA #4: In development...