

**post**

**MCCE  
GENERAL MEMBERSHIP  
MEETING**

**Agenda  
September 22, 2011  
4:49 PM to 6:18 PM  
Oak Meadows Elementary School**



Members in Attendance: Frances Berumen, Debbie Stout, Albert Lopez, Shelly Reed, Alison Bell, Lynda Schmidt, Fran Stevens, Robin Espinda, Theresa Grant, Kim Jaeger, Donya Davidson, Judy, Ballier, Linda Predmore, Mary Simmons, Laura Salinas, Lenny Stout, Sofia Munoz Cyndi Burkle, Jessica Guzman, Kellie Gomez

Board Members Absent: Kathleen McSeveney-Lewis, Carl Payne, Diane Miller, Maria Rodriguez

F. Berumen

The meeting was called to order by: Frances Berumen  
Motioned by: Debbie Stout/Seconded by: Theresa Grant  
Motion -- Carried

F. Berumen

Approval of Agenda:  
 MSP to approve the Agenda for (This Meetings Date)  
 MSD to approve the Agenda for (This Meetings Date)  
Motioned by: Albert Lopez /Seconded by: Debbie Stout  
Motion Carried

F. Berumen

Approval of Minutes from previous meeting:  
 MSP to approve the Minutes from (Prior Meeting Date)  
 MSD to approve the Minutes from (Prior Meeting Date)  
Motioned by: Albert Lopez/Seconded by: Theresa Grant  
Motion Carried

S. Reed

Treasurer's Report:  
Posted for members to review  
 MSP to approve the Treasurer's Report for (August/September 2011)  
 MSD to approve the Treasurer's Report for (July/August 2011)  
Motioned by: Albert Lopez/Seconded by: Debbie Stout  
Motion Carried

## Guest Speakers:

- Dave - Provident Bank – Small local community Bank in the Inland Empire and all the way to Blythe. He gave a short overview of services.
- Enrique - Schools First – Credit Union that is Member owned. He gave a short overview of services. This Credit Union is only open to school employees. All accounts are always free. They have many loans.
- Sean Marshall - American Fidelity Insurance – He gave a short overview of insurance policies they carry, i.e., Disability plan, Accident insurance, cancer insurance, etc. The plans encourage you to go to the doctor.
- Jeff Boxer – Lawyer – He was here regarding 12 month employees who have worked an extra day and not being paid for that day. We (the union) have asked the District Office to change the policy of how they calculated the days without pay and have it coincide with days worked with days paid. The D.O. said that they are not doing anything different then any other district and they are not doing anything wrong. There is no cheap way of fixing it. For any of you that are motivated to have back pay for the days worked without pay, we can assist you with a small claims action and everyone can do it together. No lawyer will represent either side. There is a pretty good chance that it is not worth it to them to fight it. Jeff filed a complaint to have Calpers look at the schedule. They are auditing the district. Calpers is checking to see if they have been cheated out of money that should have been paid to the employees. Because we do not have binding arbitration, that is why this is hard. We have to go to Court to have this rectified. Jessica Guzman stated that she has asked the district if the Union has brought this to their attention in a non confrontational way and she was told no. Jeff said it was brought to their attention in a non confrontational meeting not just by the Union but by other employees and their response was “you don’t want to go there”. It was turned over to Jeff after it was brought up. Frances said she asked District if they would change it. Mr. Wolfe gave paperwork to back on how the District calculates it and that this is their policy. It wasn’t noticed until furlough days came into play. They gave a letter to all 12 month employees that said you are working 255 days. The 12 month employees counted the days on the calendar and came up with 256 work days. Jessica Guzman asked to be provided with the written information that the district is not going to change this practice. Jeff stated that the reason for denial is immaterial. The district just doesn’t want to do it. If you can get something for free why not. Jeff asked, “What are you going to do if they keep saying no?” It was suggested that the district could give the 12 month employees an extra day off without taking it off of their vacation, sick, etc. Jessica requested that the Union sit down with Dr. Callaway, Mr. Wolfe, and Mr. Kennedy and discuss the situation. This does not just affect the current 12 month employees, but prior 12 month employees. By statute you can go back 3 years and by contract, 4 years. The calendar is not negotiated. It was brought up over 1 year ago for the classified employees to have our calendar negotiated. 12 Month employees are salaried employees and not hourly employees.
- Frank – AFT representative was introduced. Frank will be with us for a short time until the permanent representative can be appointed.

D. Stout

Vice President’s Report: Debbie state that Prepaid legal approached us regarding their services. Alison will be sending out a survey to all sites.

30 minutes Various

## Committee Reports:

- Grievance — No report
- Leadership Update — No report
- Membership Update — We have 2 new members and Frances has almost completed updating Member Suite.
- Negotiations Update — Frances is writing a MOU regarding Furlough days and how they will effect school site classified who work additional days at the end of the school year.
- Constitution and By Laws — No report

Various

## Site Rep Reports:

- It was motioned to vote in Laura Salinas as the Site Rep for HCMS. Motioned by: Debbie Stout/Seconded by: Theresa Grant, Motion Carried
- Donya had a question regarding Subfinder. Does the supervisor have the right to put in absences for you? If I give her a request to take a day off for whatever reason, who puts in the absence into Subfinder? Frances said she should ask for clarification on how to report

absences. Donya stated she is going to request the answer in writing.

Various

- Old Business: Transportation committee — Albert and Robin are on the committee. We need one more person for this committee. Theresa agreed to be on this committee. A motion was made that Theresa Grant will be the 3<sup>rd</sup> person on the Transportation Committee. Motioned by: Alison Bell/Seconded by: Kim Jaeger, Motion Carried

Various

New Business:


- Jessica Guzman asked to address the union regarding an issue that has been festering within the local and on the board. Jessica stated that everybody understands my position that I am the past treasurer. Shelly Reed was elected in July. Jessica's term ended on 6/30. There was not enough time to train Shelly. Shelly asked Jessica for training. Jessica received minimal training when she became the treasurer. Shelly asked Jessica for help on multiple items needed. Jessica said she would be billing the union for her services. Jessica said she sent e-mails regarding expecting to be paid. Jessica said to Shelly not to ask her for anything, because she would not work for free. Jessica billed the Union on 7/19. This bill was brought to the E-Council at the 8/25 meeting. All members present voted on whether they want to pay. The vote was a secret vote. It was voted not to pay. Jessica said that was fine. Jessica said on 9/1 she hand delivered a letter to all people present. She said she did not meet with them personally. Jessica said she left the letters at each site after hours. She said she did this on her personal time. She never had a confrontation with the people. She said she entered each site by asking the custodians to let her in. The letter stated she wanted to be paid by 9/9 or she would take all people to small claims court. Jessica said that Frances approached her Supervisor and CBO and accused Jessica of false accusations. Jessica said that Frances went to personnel and said that Jessica wrongly entered the buildings. Jessica said that anyone can walk into the schools. If the custodians open the doors you may enter the school. Jessica said she doesn't want custodians to get into trouble. Jessica said she did not enter the buildings wrongly. I did not harass people. I never talked to anyone. Jessica said that people are saying I am using my payroll position and used my job as a means to collect social security numbers. I would never jeopardize my position to collect anything. I do not appreciate this. It is false. I don't appreciate someone making accusations against me. It is false. Jessica said she has spoken with Frank and let him know that it is inappropriate for Frances to approach personnel. It is a personal matter. Jessica asked to have Frances resend her accusations against her. Jessica asked for evidence that she used social security numbers. Frances said that in the letter it says that this can affect our credit report for up to 6 years. That is the statement that led everyone to think Jessica has social security numbers. Jessica said she will not use her job for anything. I work hard to provide for my family. I don't appreciate someone jeopardizing my job. Jessica said she spoke to Frank and he told her that Frances said "if you drop the small claims against the members then she (Frances) would rescind the accusation from Personnel" Jessica said this was Blackmail. Frances said this was not true that she was not going to resend the complaint made to the District. Frank told Jessica that Frances never said that and that is not what he told Jessica. Jessica said I have said all I have to say and I am going to leave right now. Fran asked Jessica if she was going to stay and listen to our response. Fran said that Jessica did use the schools for delivering letters. Jessica said she was advised to do it this way. Jeff understands, not wanting to work for free. When it comes to helping the incoming board member in a union, the person vacating the position is to help the next person taking on the position. Jessica did receive \$450 per month while she was in the position. Helping people at the end of your term is all part of compensation of what you have been paid in the past. There is no payment later. Individuals cannot be sued for something a union does. Jessica is going to small claims court against us all, still. Jeff said to Jessica, "You will find that is no need to do this". Legally you are going to have a tough time getting the money. Jessica said that it is not the money. Linda Predmore said that you take your positions for the cause and not to make money. Jessica said, "Do you all understand that all positions are all being paid"? All said yes. She then asked Shelly, "Are you providing accounting services?" She said yes. Jessica then asked if she would do it for free if she was providing services elsewhere and she said no. Jessica then said that she spent more time than billed for. Linda said that the board (all of the positions) is here to make the Union better and to be stronger, not to fight over money, etc. Frances said that it has been brought up that some people are trying to split the union to create their own. Jessica said she didn't know anything about that. Jessica said I am leaving and I will see you all in Court.
- Fran said that Frances handled the situation very well and so did Jeff.
- Theresa Grant asked, "Did the Union agree to pay Jessica?" Frances said, no they did not.

- Frances said during a meeting with Jessica, Frances and Shelly they agreed that all payments need to be approved by the union prior to payment. A few days later Jessica sent an e-mail with a billed attached. It was not brought up prior to this e-mail. This billing was not approved prior to receiving the bill. Frances and Shelly agreed to take it to the E-Council at the next meeting which was August 25<sup>th</sup>.
- Shelly Reed said we need to have in our By-Laws that all positions must train the next person coming into that position. It is also important to write what our job description is in detail. The AFT training was good, but it did not cover local training.
- Mary Simmons – I believe everyone came into the union to step up. You did it for the good of the people and for the cause. The board voted a few years ago to pay the President and the Treasurer. I feel you need to pay all and not, just a couple positions. Each position does do a lot of work. I think training is part of the stipend.

Good & Welfare:

F. Berumen

Adjournment:

 MSP to Adjourn at 6:18 pm  
Moted by: Debbie Stout/Seconded by: Alison Bell  
Moted Carried