



Professional Employees Association, Inc.

PROFESSIONAL VIEW
PEA'S NEWSLETTER FOR JANUARY-MARCH, 2006
www.peaonline.org

PRESIDENT'S UPDATE **Submitted by David Peterson, President**

The Spring Steward/Executive Committee meeting will be on March 8, 2006. The agenda includes Responding to the City or District when new Job Titles are created and brief overview of Civil Service Rules by Business Agent Mike Wilde. In addition, Stewards will be picking up copies of the latest City-PEA Bargaining Agreement, for distribution to the City membership.

The City-PEA Bargaining Agreement is also under the links at the PEA website at www.peaonline.org. (Thanks to John Larson for organizing and maintaining the website information.)

The Executive Committee has continued its schedule of monthly Tuesday night meetings at the union office. The agenda is dominated by committee reports, city or school district negotiation topics, and the Business Agent/Legal Council Report on current grievances and other issues.

Some of the other current activities and discussion:

Review of the school district contract negotiation process (with a weekly schedule of district negotiation team meetings);

Made amendments to the five-page Executive Committee job duty listing;

Discussion of Civil Service rules as related to union contracts;

Discussion on limitations of the employee job performance review;

Sent a letter of welcome to Mayor Coleman (at the start of his term);

Approved a recommended 2005 PEA Employee of the Year (to be announced at the June General membership meeting);

Discussion of a notice from the City on new Commercial Driver License (CDL) driving record requirements (to drive large vehicles);

Adopted a 2006 operating budget;

Update on the 2005 audit status;

Setting the agenda for the Steward/Executive Committee meeting;

Appointment of Karin Anderson as the PEA representative to the City employee Neid award program;

Discussion of changes in the office copier sharing arrangements for the union office;

Update on general office clean up, filing, and storage arrangements (and a likely move to another office within the Empire building because of remodeling); and

Newsletter improvement discussion and article deadlines adjusted.

The Executive Committee and Stewards have continued to be very involved and active. I would like to again thank PEA members for their support.

PEA Calendar of Events

2006

- March 8th Combined Steward-Executive
Committee Meeting
Joseph's Grill – 5:30 PM
- AGENDA: 1) New Titles, and 2)
Civil Service Rules Overview
- June 7th General Membership Meeting
Joseph's Grill – 5:30 PM
- September 5th Combined Steward-Executive
Committee Meeting
Joseph's Grill – 5:30 PM
- December 6th General Membership Meeting
(with elections)
Mancini's – 5:30 PM

Ongoing

The Executive Committee generally meets the first Tuesday of the month at the union office at 5:30
Exceptions: July will be 7/11/05 and November will be 11/14/05.

INTERESTING TIDBIT:

Bill Gates tough job interview question

Job applicants can have a great resume, excellent references, perfect job experience and present themselves well in an interview, but Gates bases his decision on the moment when he casually asks... "How much artificial turf is in North America?" or "Why are manhole covers round?" The next thing the candidate says determines if he or she gets the job. Gates doesn't expect, or want, the right answer. He's interested in the applicant's thinking process.

From the Vice President-Kay Wittgenstein

As the newest member of the Board, I have really enjoyed attending our monthly meetings. I am learning a lot about our Association as well as about the labor movement in general. I also represent us at the Labor/Management Committee on Health Insurance. We try to work together on innovative ways to get more for our money-anybody have any ideas?!

We need never take for granted that our rights as employees will be protected or indeed even identified without representation. We need to support our association and unions in general so that workers are treated with respect, work in safe settings and are compensated with livable wages and benefits. I strongly urge you to get involved in PEA, come to meetings (I'm in charge of the free food!) become a steward, or even present us with ideas, issues or questions. Have a great Spring.

I can be reached at **266-1285** or
kay.wittgenstein@co.ramsey.mn.us

Precinct caucuses Tuesday, March 7

Taken from the [Workday Minnesota](http://www.workdayminnesota.org) website (<http://www.workdayminnesota.org>)

ST. PAUL — Party precinct caucuses will be held across Minnesota the evening of Tuesday, March 7, providing an opportunity for citizens to take part in the selection of candidates for local, state and federal offices.

Each political party makes its own caucus arrangements. See the links below for more information. The caucuses are the first step in the selection of candidates. This year, all seats in the Minnesota Legislature are up for election, as are the governor and constitutional officers, all eight members of the Minnesota delegation to the U.S. House of Representatives and one U.S. Senate seat. In addition, local offices -- such as the School Board in Minneapolis -- will be up for election in many areas.

The best place to determine the location of your precinct caucus is to visit either the party website of the one you wish to attend or to check with your county auditor's office. To find your county auditor, go to the Secretary of State's website or call 1-877-600-VOTE.

The Legal Corner
By Mike Wilde

Anyone who wants to understand an employment practice or procedure in either the City or ISD #625 is often left with a small research project on his hands. Some employees will go to a department policy in hopes of finding an answer. Others might turn to the labor contract to resolve the issues. And still others will turn to the Civil Service Rules as they apply in either the City or the School District. These three resources often times overlap, but it is always nice to know a little history to determine the right application.

Your collective bargaining agreement serves as the express and overriding source for terms and conditions of employment. The contract is the cumulated result of negotiations over the past 30 to 35 years. Moreover, the labor contract supersedes any other conflicting policy, rule or procedure, with the exception of state or federal laws. The contract primarily provides specific titles in the bargaining unit, corresponding wages levels, benefit provisions, overtime terms, discipline standards (i.e. just cause), working hours, vacations and other benefits that can usually be applied across multiple departments. Sometimes the employment practices, other than those expressly provided for in the contract, have been so consistent and relied upon that they rise to the level of a “past practice” that has become an inherent part of the contract. But those cases must meet certain legal elements for the practice to be as equally binding as specific articles in the contract. Violations of the collective bargaining agreement are addressed between PEA and the employer under negotiated grievance procedures set forth in the contract.

Another body of rules has existed for well over 50 years. Those are the Civil Service Rules. In fact, I once heard that the Civil Service Rules have been in existence for about 80 years in the City of St. Paul. Some of these rules fall well outside the scope of the labor contract mentioned above. Examples of such rules include performance appraisals, temporary employment and hiring practices. But since the rules form the basis of the time-tested merit system, individuals affected by civil service rule violations have personal opportunities to bring such claims before the St. Paul Civil Service Commission.

Some members might speculate that since the Civil Service Rules have been around for so much longer than the PEA contract that the rules must provide greater overall benefits. But this is not true. Many collective bargaining agreements, such as PEA’s, have articles entitled “maintenance of standards” clauses that preserved the standards and safeguards that were set forth in the Civil Service Rules so that subsequent negotiations were not carried out with the unintended consequence of diluting or waiving Civil Service Rules. Thus the old merit-based rules still apply unless they are specifically contradicted by express language in the labor contract. More will be discussed in the next newsletter about Civil Service Rules.

Lastly there are the policies. The policies are those instruments of management that are used to carry out the managerial rights of operating the organization. My December article touched on policies, which are the lowest on the “work rules” hierarchy.

PEA PRESIDENTS AND BUSINESS AGENTS (as of January, 2006)

<u>Year(s)</u>	<u>*P.</u>	<u>President</u>	<u>Department</u>	<u>#BA</u>	<u>Business Agent</u>
1973-1978	#1	Ed Warn	Pre-Incorporation		
1975-1983	#2	Tony Ackermann	Incorporated 5-26-78		
1986-1987	#3	Steve Roy	LIEP		
1988	#4	Arleen Schilling	School District		
1989	#5	Kate Nelson	Libraries		
1990	#5	Kate Nelson	Libraries	#1	Cynthia Kosiak
1991	#6	Arleen Schilling	School District		
1992	#7	Bruce Berg	Water		
1993	#8	Martha Kantorowitz	Accounting	#2	Laura Wingate
1994	#9	Laura Samargia	PED	#2	Laura Wingate
1995	#9	Laura Samargia	PED		
1996-2000	#10	Steve Roy	LIEP	#3	Mike Wilde
2001-2002	#10	Steve Roy	LIEP	#4	Chuck Bethel
2003	#10	Steve Roy	LIEP	#5	Mike Wilde
2004	#11	Steve Olson	LIEP	#5	Mike Wilde
2005-2006	#12	David Peterson	School District	#5	Mike Wilde

PEA EMPLOYEES OF THE YEAR (as of January, 2006)

<u>Year(s)</u>	<u>#EOY</u>	<u>Employee of the Year</u>	<u>Department</u>
2001	#1	Mary Ann Miller	Libraries
2002	#2	Jaber Alsiddiqui	School District
2003	#3	Steve Roy	LIEP
2004	#4	Steve Olson	LIEP
2005	#5	TBA	

2006 EXECUTIVE COMMITTEE

PRESIDENT	DAVID PETERSON	SCHOOLS - 360 Colborne, 55102	696-9626
VICE PRES.	KAY WITTGENSTEIN	PHD - 555 Cedar St., 55101	266-1285
TREASURER	RHONDA GILQUIST	SPPD - 367 Grove St., 55101	266-5544
SECRETARY	BRIAN KRAWIECKI	LIEP - 8 E. 4 th St., #200, 55101	266-9134
NEGOTIATIONS			
CITY	SHEILA WINDERLICH	LIBRARY - MMC, 2109 Wilson Ave., 55119	501-6309
SCHOOL	JABER ALSIDDIQUI	SCHOOLS - 360 Colborne, 55102	767-8352
PERSONNEL	KARIN ANDERSON	CAO - 550 City Hall, 15 W. Kellogg, 55102	266-8765

STEWARDS

CAO & OFS	REGINA ETOLL	500 City Hall, 15 W. Kellogg, 55102	266-8726
FIRE	PAULA PETERSON	100 E. 11 th St., 55101	228-6203
LIBRARIES			
CENTRAL	SUSAN HENRY	MMC, 2109 Wilson Ave., 55119	501-6305
PART TIME	SUSAN McMAHON	Highland Pk, 1974 Ford Pkwy., 55116	699-6756
BRANCHES	MARY ANN MILLER	St. Anthony, 2245 Carter Ave., 55101	642-0411
LIEP	FRANK BERG	8 E. 4 th St., #200, 55101	266-9072
PARKS & REC	BRIAN TOURTELOTTE	300 CH Annex, 25 W. 4 th St., 55102	266-6414
P.E.D.	CRAIG O'BRIEN	1100 CH Annex, 25 W. 4 th St., 55102	266-6695
POLICE	MARSHA PANOS	367 Grove St., 55101	292-3781
PUB. HEALTH	SUSAN MYRAN	555 Cedar St., 55101	266-1210
SCHOOL DIST.			
	LYLA GRIFFIN	360 Colborne, 55102	767-8288
	COLLEEN SHIELDS	360 Colborne, 55102	767-3472
TMS & PW	BRUCE RIEBE	700 CH Annex, 25 W. 4 th St., 55102	266-6091
WATER	ISSAC AFWERKE	1900 N. Rice, 55113	266-6267

STAFF & OTHERS

BUSINESS AGENT / LEGAL COUNSEL: MIKE WILDE, Esq.
612-227-8425
E-mail addresses (use both, please):
MLWilde@Local49.org
mwilde8860@comcast.net

NEWSLETTER: SUSAN HENRY
651-501-6305

WEBPAGE (<http://www.peaonline.org>): JOHN LARSON
651-292-6626

OFFICE ADDRESS: P.E.A.
651-293-4433 (phone & fax)
360 NORTH ROBERT ST., SUITE 424
ST. PAUL, MN 55101