



PROFESSIONAL VIEW

PEA'S NEWSLETTER FOR OCTOBER-DECEMBER, 2011

[www.peaonline.org](http://www.peaonline.org)

**Mission Statement**

The Professional Employees Association is dedicated to bargain, administer and enforce labor agreements in a responsible, prudent and lawful manner for the overall improvement of members' working conditions, with emphasis on general advocacy, education and communication.

**4th QUARTER 2011 PRESIDENT'S UPDATE**

**Submitted by John F. Blackstone, P.E., President**

“A leader is best when people barely know she or he exists, not so good when people obey and acclaim him or her, worst when they despise her or him. But of a good leader, who talks little, when his or her work is done, her or his aim fulfilled, they will say, ‘We did this ourselves.’” Lao Tzu Chinese Philosopher 570 – 490 BC

Lao Tzu's comment, related to my congregation by a former minister, from more than 2500 years ago rang true for me the first time I heard it. Many years later I read “Good to Great” by Jim Collins. It is a study in leadership that for me confirms what Lao Tzu so clearly stated. I encourage you to read “Good to Great” and hope you enjoy it as much as I did. If you don't want to or don't have time to read the whole book there is a Harvard Business Journal summary that condenses the important information into a short read. I have a copy which I will send to you if you contact me and request a copy.

We are a diverse group of professionals, laboratory technicians, engineers, librarians, legal assistants, accountants, etcetera. We work in almost

every sector of the City, School District and County. We are small so we can respond quickly and decisively. We have strong leadership and wise counsel. We have stepped up to the plate on several occasions to provide clear succinct leadership to our members, colleagues and management. We don't always win but we always give it our best. We are very pleased with the recent outcome returning one of our members to work with back pay. This is why I am so proud to be a member of the Executive Committee.

We have recently welcomed three stewards, Justine Roe, Water, Jessica Madole, Parks and Janet Yanarely, School District to leadership positions as stewards. This is how to build a successful organization. Start out by selecting folks who are much smarter than you are then get out of their way so they can do their job. On a more solemn note, Frank Berg, a longtime steward in the Department of Safety and Inspections is retiring at the end of 2011. There is no doubt that PEA and the City of Saint Paul will miss Frank and his dedicated service. As members of PEA we can be proud of

Frank's accomplishments and wish him joy as he moves on to bigger and better things. We can also be proud of the role model and efforts to serve others that Frank has shown us of all these years. So from beginning to end we are building a top notch organization.

We had a very good discussion about how PEA could be involved in the political arena in the future with stewards at the September 2011 meeting. As I mentioned in my last news article, a few more votes and we could be in the same situation as Wisconsin's public servants are in at this time. I did receive an email from a member who was concerned that PEA might consider financially supporting a candidate. First, if we were to consider something like that, at this point we definitely are not, we would need strong membership support. Recall that several years ago membership decided to completely shy away from anything political so moving towards financial support is a long way off if ever. I have appointed our three new stewards, Justine, Jessica and Janet to consider grass roots ways for PEA to enter the political arena. I am optimistic that these three will come up with some thoughtful ideas from which we can select for our future.

So what might we do? One of the ways for leadership to be the most effective is to ask two questions related to their Mission Statement. What are we doing we should not be doing and what are we not doing that we should be doing. Here is an example of that concept. When I first was selected to be PEA treasurer, I noticed that members were sitting at their table and the Executive Committee was sitting at their table. There is absolutely nothing wrong with this because one of the reasons we come together is to enjoy each others company. The truth is I love sitting with members of the Executive Committee. They have become very dear, smart, warm friends who I look forward to seeing regularly. If you recall at the beginning of

the article I mentioned that we are a diverse group of Professionals. The problem with the Executive Committee sitting together is that we can without noticing appear better than others, aloof, uncaring, unapproachable, too hard to approach or worse not worth talking to about anything. But we aren't that way, the executive committee, stewards and members are warm, thoughtful professionals who are dedicated to their jobs. So what is the solution? The Executive Committee needs to sit with the membership. The problem with this is that everyone can feel a bit uncomfortable. It takes work to welcome a strange face at the table especially an officer and member of the Executive Committee. I submit however, that the price we pay for not conscientiously dispersing the Executive Committee among members because we can never build the bonds that hold us together and give us the vision to work together, is much higher than welcoming a stranger at a table. This is, I believe a simple, low cost in money solution to a problem that we didn't see as a problem until we considered it. This is an example of how we could consider PEA involvement in the political arena. All that said, any PEA move into the political area will require strong member support. We are not there at this time we are only discussing what we might do, what the possibilities might be for the future.

So I need your help. At the November 30, 2011 General Membership meeting as you gather with friends make room at your table for an Executive Committee Member. We don't like to intrude any more than you like to be intruded upon so grab us, set us down and talk to us and each other. It is so important that members and the executive committee know each other. It might be uncomfortable the first few times but as the clock keeps ticking we will come to enjoy and expect being together with members of the Executive Committee just like we have enjoyed our fellow PEA members in the past.

#### **PEA CALENDAR OF EVENTS 2011 and 2012**

Wednesday, Nov. 30    General Membership Meeting at Mancini's  
Tuesday, March 6, 2012    Board & Stewards Meeting at Joseph's  
Wednesday, June 6, 2012    General Membership Meeting at Joseph's  
Wednesday, September 12, 2012    Board & Stewards Meeting at Joseph's



## **COME AND JOIN THE CROWD !**

### **PEA's Annual Dinner / General Membership Meeting**

**Wednesday, November 30, 2011**

**Mancini's, 531 West 7<sup>th</sup> Street, St. Paul**

**All Attendees Will Receive a Door Prize !!!**

**5:30 p.m.      Registration with Appetizers**  
**6:00 p.m.      Dinner**  
**7:00 p.m.      Meeting**

#### **Meeting Agenda**

**Introduction of Stewards and Executive Committee Members**

**Approval of June 2011 General Membership Minutes**

**Mike Wilde's Legal Counsel Update**

**Reports of Board & Committees**

**President**

**Vice President**

**Treasurer**

**Personnel**

**School District Negotiations Chair**

**City Negotiations Chair**

**Elections**

**Member Recognition**

**Adjournment**

**RSVP by Monday, November 28**

**karin.anderson@ci.stpaul.mn.us, include your entree selection of  
Chicken, Steak, Walleye, or Vegetarian Pasta**

Your Dinner includes Salad, Bread, Baked Potato, Cake & Choice of Coffee, Tea, Milk or Pop.

Please Let Karin Know If You Have Any Special Dietary Needs.

**Only full members may vote and participate fully in PEA.  
If you are a fair share member, please consider becoming a full member.**

## **THE CORNER**

**By Mike Wilde, Legal Counsel**

PEA represents approximately 65 to 70 professional employees in the St. Paul Public Schools. It must be acknowledged that a bargaining unit of this size is dwarfed in comparison to the 3,400-member teacher union. But size only counts on those rare occasions where a bargaining unit considers withholding services due to a breakdown in negotiations. This is rare, thankfully. What counts more in the working lives of the members is how responsive a union is on day-to-day concerns. In this regard PEA is probably one of the more effective unions in the District.

We have three stewards who all have a very good sense of fairness and they're not afraid to stand up and be heard for their fellow employees. I would like to express my appreciation for Lyla Griffin, Marian Heinrichs and Janet Yannarely. We also have David Peterson and Maia Sierra from the Schools to serve on our PEA Executive Board and are our key to protecting their co-workers' rights in the District. All of these individuals are important to mention, especially now after we've just closed another very interesting chapter of labor relations with the St. Paul Public Schools.

For several years, PEA has challenged the School District's pattern of hiring new professional employees while simultaneously announcing layoffs of other professionals. Now ... please keep in mind that layoffs are sometime the natural and expected consequence of budget cuts, like those repeatedly faced in Independent School District #625. What is not expected, and is often suspicious, is the District's pattern of continually adding new employees to the payroll when existing employees are losing their jobs. How can the School Administration justify this practice?

The District has attempted to rationalize this unfairness with one word: reorganization. But our labor agreement requires all layoffs to occur according to seniority, which is generally explained by a "last-in, first-out" principle that honors length of service and offers institutional stability and job

security. You invest in your job through years of service and remain loyal to continuous employment to the District. In turn, they've committed themselves to remain loyal to you in maintaining employment.

When this contractual right and fairness principle is ignored, there are negative effects on morale. The staff becomes anxious and arguably less committed to their employer. Employees say, *"I've kept up my end of the bargain. Why is my employer turning its back on me only to hire new, unproven employees?"* That is what PEA members have repeatedly said for the last three years.

In January of this year, PEA allowed me to represent an individual member who was laid off in June of 2010. This employee successfully held four different titles with the District over 20 years of service, but while he was on layoff the District began filling some of these titles that were announced as vacant. Meanwhile, the District failed to notify our laid off member that he had rights under the Civil Service Rules to fill such vacancies before the District could hire original entrance applicants (i.e., new employees). Worse yet, our member earnestly applied for these positions and passed the examination, even though he was not required to test for positions that he already held. Despite his good-faith efforts, the District denied him the opportunity to fill the vacancies. As a result he remained unemployed.

I represented this individual under a Civil Service appeal on the grounds that the District violated the Civil Service Rules that it is obligated to follow. One of the factors that made the case more troubling was that the District proceeded to fill three titles of four titles that comprise a natural career ladder consisting of Accounting Clerk I, Accounting Clerk II, Accountant I and Accountant II. The only classification of these four that they did not attempt to fill was the Accountant I title, which is the specific title from which our member was laid off from in the previous summer. It seems

quite obvious that the District fully understood that our member would have contract rights under our collective bargaining agreement to fill that job. But without examining the employee's rights under the Civil Service Rules, which can be broader than contract rights, the District appeared to strategically hire "around" our member in order to deny him the rightful return to work in titles that he had proven himself in years earlier.

During the hearing, and throughout the legal briefs and arguments that followed, the District attempted to defend their position without regard to fairness or operational effectiveness. I can't begin to guess what their real motive was, but I can say that they offered several alternative arguments that would keep this 20-year employee from regaining employment with the District. In the end, the Civil Service Commission rejected the District's claims and returned the long-term employee to work with full back pay. We sincerely wish this employee the best of luck in his reemployment and hope that he once again proves to be a valuable and committed employee despite the Administration's lack of loyalty to him and his family.

PEA does not wish to malign any one person in the District or share these developments with you in an attempt to sow ill will with the Administration. In fact, one of the products of this particular case is an improved line of communication with the Human Resources Department. But we do believe that our members should understand the facts and realize that the District has legal and moral obligations to you as employees. Sometimes these rights are not self-evident. They need to be studied and applied to each case on an individual basis. We need to communicate with the District in order to improve moral, maintain a productive and dignified workplace and preserve the job security that is critical for individuals committing themselves to make the St. Paul Public Schools a great working and learning environment.

If you are ever facing a layoff scenario, contact your steward and learn your rights. It's important for everyone. And please ... attend PEA's annual holiday party on November 30<sup>th</sup> at Mancini's to learn more about improving your work environment.

### **ATTENTION: ELECTIONS FOR PEA EXECUTIVE OFFICERS ON NOVEMBER 30<sup>th</sup>**

PEA welcomes all members in good standing to consider running for PEA Officer or Executive Committee positions. The lifeblood of the organization is our volunteers. At this time there are candidates for each position, but nominations can now be accepted by contacting Mike Wilde at 612-227-8425 or by email (Mike.Wilde24@gmail.com). Interested parties can also cast their nomination on the floor at the November 30th meeting. Any contested races will require an introductory speech by the respective candidates. Please attend the meeting and vote on your Union's leadership.

### **School District Negotiation Team Members Wanted Submitted by David Peterson, PEA District Negotiation Chair Office Phone: 651-744-8112**

The current School District PEA collective bargaining agreement runs through December 31st.

A School District PEA Negotiation team is being assembled to identify and debate issues, and to negotiate with the School District.

The School District PEA Negotiation team will have several lunch meetings. A subgroup will negotiate with the School District, probably several times late in the afternoon.

PEA encourages new School District PEA

Negotiation team members. This could be a personally rewarding learning experience.

Please contact me with questions, or a commitment to be a team member, before Nov. 22, 2011.

If a new School District contract is not negotiated and approved by December 31st, the terms of the current School District contract remain in effect until the execution of a School District new contract.

**PRELIMINARY DRAFT**  
*Minutes from the JUNE 7, 2011 Summer General Membership Meeting*  
*The minutes will be presented for approval at the Winter Holiday*  
*General Membership Meeting.*  
*Please submit corrections or comments so they may be incorporated in the final draft.*

**PEA GENERAL MEMBERSHIP MEETING**  
**Joseph's**  
**June 7, 2011**

**EXECUTIVE COMMITTEE MEMBERS PRESENT:** John Blackstone, President; Karin Anderson, Vice President; Maia Sierra, Treasurer; David Peterson, ISD Negotiations Chair; Paul Hogrefe, City Negotiations Chair; Brian Krawiecki, Secretary and Mike Wilde, Legal Counsel.

**STEWARDS:** Frank Berg, Sue Butler, Kathleen Conger, Regina Etoll, Lyla Griffin, Gale Hawkinson, Marian Heinrichs, Susan Henry, Jessica Madole, Charlene McKenzie, Marsha Panos, Paula Peterson, Justine Roe, William Vos, Janet Yannarely.

**OTHER PEA MEMBERS IN ATTENDANCE:** Lisa Bartels, Thomas Bosman, Lynn Burwell, Karen Edmond, Susan Feuerherm, Rosie Foreman, Connie Garrahy, Jim Giebel, Cece Hauge, Marchelle Hawkins, Jim Jeffery, Tom Johnson, Brian Karschnia, Oren Larson, Andrew McGlory, Pam Mendez, Luis Morales, Barbara Morin, Patricia Nedegaard, Sara Nurmela, Diane Olson, Jason Reid, George Simon, Claire Simonson, Julia Sobania, Michael Tharp, Trinh Tranberg, Jodi Wallin, Casey Walters, Angie Wiese, Pang Yang, and Chin-Ming Yin.

**The meeting was called to order by President John Blackstone.** John welcomed attendees and announced the completion of PEA's 2010 Annual Performance Indicators document. There are many confidential issues that involve individual members that the General Membership cannot be made aware of. This document is an effort to promote transparency of Executive Committee activities to the membership.

**INTRODUCTIONS:** John asked PEA Stewards and Executive Committee members to introduce themselves. John announced a change to the agenda. The Financial report will be given after the November 30, 2010 General Membership Meeting minutes presentation for approval.

**MINUTES FROM THE NOVEMBER 30, 2010 GENERAL MEMBERSHIP MEETING:**

The minutes from the November 30, 2010 General Membership Meeting were presented. MOTION by Angie Wiese to adopt the November 30, 2010 General Membership Meeting minutes as presented. SECOND by Karin Anderson, MOTION CARRIED.

**FINANCIAL REPORT:** PEA Treasurer Maia Sierra reported PEA's fund balance to be \$102,071. IRS Form 990-EZ Short Form Return of Organization Exempt From Income Tax annual report has been filed. PEA Bank transactions are verified by John. The 2010 PEA financial annual audit has been completed by Jill LaCasse. Maia has responded to the three items noted in the audit.

**LEGAL COUNSEL UPDATE:** Mike reviewed most recent Saint Paul Civil Service Commission Hearing involving a PEA member in the School District. The School District continues layoffs and hiring under the guise of reorganization. The School District's reorganization and subsequent layoffs and new hiring is commonly known in Minneapolis as "musical chairs". Mike asked Stewards and members in the School District to keep in timely communications with PEA. Mike is sure there will be more layoffs and he is disgusted with the way the School District escorts laid-off employees out of their place of work. Mike met with School District employees about layoffs. Mike also met with the new Executive Director of Human Resources for the School District about this and requested a response to PEA's objection to the "escorting out" policy. Labor Relations invited PEA to propose a revised protocol for layoffs. The Executive Director retired soon after PEA's proposal was submitted without responding to the proposal. Mike met with the new Executive Director and Labor Relations Manager for Saint Paul Public Schools to let them know about PEA's concerns and the apparent lack of communications within the School District. PEA is prepared to have more hearings about the annual reorganization - "musical chairs" in the School District. When there are more layoffs, PEA wants them to be in accordance with our contract. Mike stressed the importance of timely communications from School District members to PEA when they hear about layoffs. Mike has asked the School District for a personal review of each and every PEA layoff. PEA has a little more foresight for layoffs in the City because of less reorganization chaos and better communications.

Mike explained the vacation accrual benefit for City employees and talked about the problem with Department directors' denial of the benefit.

**COMMITTEE REPORTS:**

**Vice President:** Karin talked about participation in the health insurance JourneyWell health assessment and completion of the wellness plan. The City program should be completed by the end of July. School District members must complete the assessment part of the program by the end of June. The School District program will continue through September.

Karin read Mike's letter about his change of employment in his full-time job and Mike's willingness to stay on as PEA Legal Counsel. She explained how important Mike's services are and how fortunate PEA is to have Mike as Legal Counsel.

Karin presented the PEA Personnel Report submitted by Page. There are 195 regular members and 40 fair share members in the City. The School District has 64 regular members and 8 fair share members. Total PEA membership is at 307. New members include Luke Vang in the Office of Technology and Communications and Barbara Hillesbrand in the Office of Financial Services.

**School District Negotiations:** The School District Contract goes through December 31, 2011. David welcomed Janet Yannarely as the new School District Steward. Lyla Griffin is PEA's representative on the School District LMCHI.

**City Negotiations:** The City Contract was approved by the City Council on May 25 and signed by the Mayor on May 31. Paul plans to have printed Contracts available at the winter holiday general membership meeting. Paul encouraged members to submit requests for vacation accruals and to notify PEA of approvals and denials. PEA will be responding to denials for vacation accrual requests.

**OLD BUSINESS:** No Old Business was presented.

**NEW BUSINESS:** In accordance with PEA By-Laws, David Peterson's appointment to the School District Negotiations Chair by the Executive Committee was approved by the majority in attendance. John asked members to submit photos of "PEA members hard at work" to Jodi, Page or himself for consideration to be included in a new and improved PEA Brochure.

John thanked all in attendance and reminded everyone of the Winter Holiday General Membership Meeting. The Winter Holiday General Membership Meeting will be held at Mancini's.

**ADJOURNMENT:** The meeting was adjourned at 7:42 p.m.

**Report to Membership since the last newsletter: August 2011**

**Totals: 312 Members**

**City: 240 (37 are fair share)**

**Schools: 72 (9 are fair share)**

**Welcome New Members:**

1. Donielle McBride, Schools
2. Blong Lee, Water
3. Meredith A. Willems, OTC
4. Elizabeth M. Larkin, Fire
5. Siobhan Tolar, HREEO
6. Jennifer K. Wolfe, PED
7. Jennie Arnett, Schools
8. Lisa van der Steur, Schools
9. Nancy A. Martin, Schools
10. Andrew F. Rodriguez, Parks
11. Rita Apaloo, Schools
12. Katherine Ryan, Schools
13. William Ison, Schools
14. Jonathan North, Financial Serv.
15. Toya Stewart Downey, Schools
16. Jeffrey M. Prottas, Schools
17. Todd M. Larson, Schools

**Departing Members (promotion, retirement, resignation or lay off):**

1. Baheriy Alemu, Schools
2. Lynn Burwell, Schools
3. Elizabeth Wegele, Schools
4. Alexandra O'Leary, Financial
5. Craig Banham, Fire

**2011 EXECUTIVE COMMITTEE**

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## **2011 STEWARDS**

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