



## 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.

## The Corner

by Mike Wilde, Legal Counsel

*If you work full-time in America you should be able to get by; when you work extra, you should be able to get ahead.*

~ U.S. Secretary of Labor Tom Perez

One of the most well known principles of federal employment law is the common understanding that if you work more than 40 hours in a week you are entitled to overtime. Almost equally well known is the broad exemption from such overtime pay for certain executive, administrative, and professional employees. This exemption is often referred to as the “EAP” or “white collar” exemption. The exemption, however, only applies if the worker in question was a salaried employee who earned \$23,660 or more. In other words, an annual salary below that level would still entitle a salaried white-collar worker to compensation at time and one-half his or her calculated hourly rate for hours worked in excess of 40 hours.

Unfortunately for the workers, this means that the exemption would prevent any overtime earnings for white-collar employees who earned the equivalent of \$11.38 per hour. Yes... you read that correctly. A worker can be a salaried exempt professional while earning the equivalent of fast-food entry-level wages. As you can imagine, there are thousands, if not millions, of U.S. workers who make very modest earnings, say \$11.50 or \$12 per hour, and are required to work long, long hours without any extra pay. This leads to dramatically unfair and difficult pay realities that were allowed under the Fair Labor Standards Act – until last week.

On May 18th President Obama announced the Department of Labor's new rules that raise the exemption threshold, thereby allowing millions of lower paid workers to get overtime for their long workweeks. The threshold was raised to \$47,476 per year. Salaried employees who earn less than that amount are now entitled to overtime pay for working in excess of 40 hours per week. This new threshold is the equivalent of earning \$22.82 per hour based on a standard 2,080 hour working year.

Of course, no political action is without detractors. In this case, many from the Chamber of Commerce and corporate advocates claim that employers will simply convert the workers to hourly workers and thereby reduce their “professionalism.” This might be the ultimate misnomer. Why does professionalism hinge on whether a worker is hourly or salaried? I know many attorneys who charge \$300 per hour, but they also consider themselves professional despite their “per hour” compensation. And even if employees are converted to “hourly employees” they will still get the added compensation for long workweeks.

Another complaint is that employers will not authorize any overtime and send people home after 40 hours of work. Well... this could mean more time with family and leisure. Is that such a bad thing? Or for those who are trying to really

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“get ahead” they might take night classes, finish a degree, or pick up a part-time job where they’ll get paid for every hour worked.

The more general complaint is that President Obama is hurting the very people he is trying to help. But an estimated 4.2 million workers have been working well beyond 40 hours per week and have been receiving not a dime for the extra time. Under the new rule they will either get

1. compensated for extra hours worked,
2. a raise in salary to put them into the exempt wage level above \$47,476, or
3. more personal time to enjoy as they see fit.

Other critics say that this will cause worker morale to hit an all time low. I guess time will tell. But for someone like me who has represented workers for over 25 years, worker morale can’t get any lower than when workers face 60-70 hour workweeks with no additional pay. “More work; same pay” is not a sign of high morale. I think this will greatly help.

Policy wonks might claim that this new rule was rushed through before President Obama leaves office. But the Department of Labor met for over one year with numerous stakeholders to get clarifications and improvements on the rule. They also received 270,000 comments during a 60-day period where they sought input. This rule has been scrutinized and fine-tuned; now it’s ready for implementation.

I anticipate a few readers are wondering if this impacts PEA members. No – because all of our School members and those City members who hold class titles Grade 12 and above earn comp time according to the contract on a straight time basis. For those City workers in Grades 11 and below, the City and PEA have a long established contractual threshold; it has simply provided that workers in Grades 11 and below receive time-and-a-half compensation as consistent with that most well known principle of getting ahead when you work extra.



## **Meet your new steward – Therese Scherbel**

I’ve worked at Saint Paul Public Library since 1998. I started as a clerk shelving books and moved to the Public Information Office in 2000. I became a Public Information Specialist I in 2002 and a Public Information Specialist II in 2015. Library administration has gone through a couple of transformations over the years and there is no longer a Public Information Office; I now work in our Community and Digital Services Office. While I have a Masters in Library Science, I really enjoy my work in marketing, promotions, communications and graphic design, but I have put on my librarian shoes on occasion and worked on the public service desk.

Charlene McKenzie, manager of Rondo Library, served as one of three PEA stewards within Libraries for several years. We will miss her! When she retired, I decided I would volunteer as steward in her place. I look forward to learning more about PEA and serving as steward for many of my co-workers.

## City Negotiations

by Justine Roe

The tentative bargaining agreement between PEA and the City was approved 57 to 3, on May 23, 2016. Thank you to everyone involved in the process. Thank you for sharing your ideas and concerns, for joining the committee and helping us prioritize issues, for sitting on the negotiations team, and for showing up to vote. 60 votes represent about 25% of City PEA membership. I would love to see more involvement from our members. It's your input that guides us in designing our platform for negotiations. The better informed we are about issues that concern you, the better prepared we are to work for you. It's not too soon to begin planning for the next round of negotiations, so please send your ideas to [peanegotiationscity@gmail.com](mailto:peanegotiationscity@gmail.com)



## School District Negotiations

by Todd Larson

Our most recently completed negotiation with St. Paul Schools generated a lot of really good ideas from members that, for a variety of reasons, didn't make it in to our current contract. In no particular order some of them are: paid family leave for the birth or adoption of a child, a lack of steps for members with more than 10 years of service, a shareable pool for unused professional development funds, and a sharable leave bank. In addition to these member suggestions Affordable Health Care act provisions, yet to take effect, could impact employee coverage options in the future as well.

The term left on our contract is an opportunity to further study some of these ideas members shared, in more detail, to inform our platform for the next contract. I'll be looking for some member assistance in the coming months to investigate these ideas, look for an email contact when we're ready to start looking into them.

I also want to put in a pitch for participation in the 403b, Deferred Compensation program, which has an increased district match this contract of \$1250. This is an underutilized opportunity for members to realize additional income from the District match, while reducing the taxable value of their income by making a contribution. There are two different companies that the District uses to administer this program, Voya and Fidelity and participation information can be found on the District's HR website here: <http://hr.spps.org/TSA>



# Stewards & Executive Committee Meeting & Dinner

*Tuesday, July 12, 2016*

**Location:** Joseph's Grill  
140 South Wabasha • 651-222-2435

**Meeting:** 5:30-7:00 PM

**Dinner:** 6:00-6:30 PM

**Reservations required:** RSVP to Regina at [regina.etoll@ci.stpaul.mn.us](mailto:regina.etoll@ci.stpaul.mn.us)

Please plan to arrive before 5:30PM so we can order promptly and start eating around 6:00PM. Dinner selections will be made from Joseph's menu; your dinner may include a non-alcoholic beverage of your choice. The meeting will be suspended when dinner is served so we can all enjoy our meal together.

#### AGENDA:

1. Greetings & Introductions
2. Treasurer's Report
3. Legal Counsel's Report
4. Vice President's Report
5. Committee Reports
  - a. Personnel
  - b. City Negotiations
  - c. District Negotiations
6. Adjournment of Combined Meeting

The Executive Committee will hold a short meeting of the board following the adjournment of the Combined Meeting.

## PEA Calendar of Events

Wednesday, October 5, 2016 ..... General Membership Meeting, Mancini's



# Professional Employees Association

CITY OF SAINT PAUL & INDEPENDENT SCHOOL DISTRICT NO. 625

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

## Executive Committee

<b>President</b>	<b>Karin Anderson</b> <i>karin.anderson@ci.stpaul.mn.us</i>	CAO – 750 City Hall, 15 Kellogg Blvd. W., 55102	651-266-8765
<b>Vice President</b>	<b>Regina Etoll</b> <i>regina.etoll@ci.stpaul.mn.us</i>	CAO – 500 City Hall, 15 Kellogg Blvd. W., 55102	651-266-8726
<b>Treasurer</b>	<b>Julie Sobania</b> <i>julia.sobania@ci.stpaul.mn.us</i>	Public Works – 1500 City Hall Annex, 25 W. 4th St., 55102	651-266-6139
<b>Secretary</b>	<b>Sara Nurmela</b> <i>peanewsletter@gmail.com</i>	HREEO – 280 City Hall, 15 Kellogg Blvd. W., 55102	651-266-8974
<b>Personnel</b>	<b>Julie Kraus</b> <i>julie.kraus@ci.stpaul.mn.us</i>	CAO – 400 City Hall, 15 Kellogg Blvd. W., 55102	651-266-8776
<b>School Negotiations</b>	<b>Todd Larson</b> <i>todd.larson@spps.org</i> <i>peanegotiations.spps@gmail.com</i>	SCHOOLS – 1930 Como Ave., 55108	651-744-1813
<b>City Negotiations</b>	<b>Justine Roe</b> <i>justine.roe@ci.stpaul.mn.us</i> <i>peanegotiationscity@gmail.com</i>	WATER – 1900 Rice St., 55113	651-266-1628

## Staff & Others

<b>Legal Counsel</b>	<b>Mike Wilde, Esq.</b> <i>mike.wilde24@gmail.com</i>	545 7th St. W Saint Paul, MN 55102	612-227-8425
<b>Newsletter</b>	<b>Sara Nurmela</b> <i>peanewsletter@gmail.com</i>	HREEO – 280 City Hall, 15 Kellogg Blvd. W., 55102	651-266-8974
<b>Webpage</b> <i>www.peaonline.org</i>	<b>John Larson</b> <i>john.larson@ci.stpaul.mn.us</i>	Libraries (SPPL) – 90 W 4th St., 55102	651-266-7044
<b>Mailing Address</b>	<b>Professional Employees Association</b>	PO Box 7333 Saint Paul, MN 55107-0333	

## Stewards

<b>CAO / OFS / HREEO / Mayor's Office / Council Res / HR</b>	<b>Amanda Rice</b> <i>amanda.rice@ci.stpaul.mn.us</i>	500 City Hall, 15 Kellogg Blvd. W., 55102	651-266-8737
<b>DSI</b>	<b>Mary Gleich</b> <i>mary.gleich@ci.stpaul.mn.us</i>	375 Jackson St., Suite 220, 55101	651-266-1935
<b>Fire &amp; Emergency Management</b>	<b>Jill LaCasse</b> <i>jill.lacasse@ci.stpaul.mn.us</i>	645 Randolph Ave., 55102	651-228-6257
<b>Libraries</b>	<b>Susan Henry</b> <i>susan.henry@ci.stpaul.mn.us</i>	Saint Anthony Park Branch, 2245 Como Ave., 55108	651-642-0411
<b>Libraries</b>	<b>Kathleen Conger</b> <i>kathleen.conger@ci.stpaul.mn.us</i>	Rondo Community Outreach Library, 461 Dale St., 55103	651-266-7431
<b>Libraries</b>	<b>Therese Scherbel</b> <i>therese.scherbel@ci.stpaul.mn.us</i>	George Latimer Central Library 90 W 4th Street, 55102	651-266-7048
<b>OTC</b>	<b>Luke Vang</b> <i>luke.vang@ci.stpaul.mn.us</i>	600 City Hall Annex, 25 W. 4th St., 55102	651-266-6789
<b>Parks &amp; Recreation</b>	<b>Rachel Coyle</b> <i>rachel.coyle@ci.stpaul.mn.us</i>	1100 North Hamline Avenue 55108	651-632-2431
<b>PED</b>	<b>Beth Ulrich</b> <i>beth.ulrich@ci.stpaul.mn.us</i>	1400 City Hall Annex, 25 W. 4th St., 55102	651-266-6689
<b>Police</b>	<b>Kelly DeHaut</b> <i>kelly.dehaut@ci.stpaul.mn.us</i>	367 Grove St., 55101	651-266-5606
<b>Public Health</b>	<b>Sue Butler</b> <i>sue.butler@co.ramsey.mn.us</i>	555 Cedar St., 55101	651-266-1321
<b>Public Works</b>	<b>Bill Vos</b> <i>bill.vos@ci.stpaul.mn.us</i>	900 City Hall Annex, 25 W. 4th St., 55102	651-266-6113
<b>School District</b>	<b>Jim Engen</b> <i>jim.engen@spps.org</i>	360 Colborne St., 55102	651-767-8346
<b>School District</b>	<b>Dominique Murray</b> <i>dominique.murray@spps.org</i>	1930 Como Ave., 55108	651-744-8307
<b>School District</b>	<b>Jerry Skelly</b> <i>jerry.skelly@spps.org</i>	360 Colborne St., 55102	763-422-9624
<b>Water</b>	<b>Sarah Brown</b> <i>sarah.brown@ci.stpaul.mn.us</i>	1900 Rice St., 55113	651-266-1635