



The Corner

by Mike Wilde, Legal Counsel

A frequent question that arises for employees of both the City of St. Paul and the School District is how one should approach a job study. There are both formal requirements to a job study as well as some practical ones too. The initial considerations for an employee who is considering a job study or who has been advised, or even requested, to undergo a study must first be addressed. Civil Service Rule 8.A.2 specifically authorizes the Director of Human Resources to promote an incumbent employee without a competitive exam if his or her position has been “reallocated.” A reallocation is the basis upon which one would then be promoted into a higher classification.

But before an employee is even eligible for this reallocation process a few prerequisites must be met. The employee must have been performing the duties of the higher position for one year or more. This makes sense for two reasons. First, an employee in PEA is almost always required to serve a probation period in their existing position. This allows the employer to assess whether the individual is capable of performing the duties that they are currently performing. On occasion a PEA member will contact me with the sincere belief that they were immediately assigned duties that seem well beyond the scope of their job description. While there is nothing surprising about this belief, especially in light of the complexity and ever-growing demands placed on professional personnel, it is usually premature to seek a promotion until you’ve proven yourself in the basic duties under which one was hired or previously transferred. Satisfactorily passing the probation period also then grants the employee the contractual protection of the “just cause” standard, which protects an employee against unwarranted discipline or discharge.

The second reason for the one-year requirement can be understood as a means by which an employee, and the HR Department, can amass enough information to measure whether the individual is indeed performing duties greater than those of their existing position. Stated another way, a job study applicant needs to prove that these greater duties were not temporary or an unusual blip on the radar of his or her workload.

The next prerequisite is that the employee facing a job study meets the minimum qualifications of the higher title. For example, an Architect is required to be a licensed architect in the State of Minnesota. So an Architect Drafter would not be eligible for a job study leading to a reallocation if the employee did not first meet the licensing requirement for an Architect.

The individual must also have been *certified* into the classified position that they currently hold. Arguably this would cause a problem for provisional and temporary employees, who don’t yet have their certification into that title. This is one of the many reasons PEA is constantly monitoring and advocating for employees to move beyond the tenuous status of provisional or temporary. The City has struggled keeping various departments in compliance with the strict time limits of these categories. Too often PEA has identified its members being held in limbo in these states of uncertainty. It creates a contingent worker who is usually unaware that it can hinder their opportunities for advancement and unfairly subject them to layoffs when newer hires in the same classification are certified before them.

Lastly, the employee must have demonstrated that they have satisfactorily performed in their position. Every once in a while an employee who

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is struggling in their existing job might entertain the notion that a job study would resolve the existing problems. Sometimes this could be a case of a lack of self-awareness. Obviously, difficulties in the current job title are not removed by getting reallocated to one of greater responsibility and duties. Keep in mind, however, that massive workloads and unrealistic demands brought on my the existing job might actually be created for the simple reason that they are performing two, and sometimes three, jobs at once. But the best step is to address the deficiencies and get them corrected well before one is a candidate for a job study.

If all of these formal prerequisites are met under Civil Service Rule 8.A.2, an individual is wise to consider the practical requirements. The main one that I've seen is whether the employee's immediate supervisor supports the idea of a job study. It is not always pleasant news to hear, but your immediate supervisor's support goes a long way in successfully completing a job study and getting promoted through a reallocation. In fact, supervisors and higher level managers can often times "make or break" the candidate's job study chances. These department heads will weigh in during their interviews of your job study. It's invaluable to make sure your supervisor and department leadership know what duties you are currently performing, especially those of much greater demand or

responsibility than is expected in your current title. If you're working in a vacuum its hard to get those influential individuals "up to speed" just for the purpose of a job study.

A final practical consideration is the time involved. The most common complaint about a job study is both the time and detail necessary to complete it as well as the length of time it takes Human Resources to finalize it. All too often employees underestimate the amount of time it takes to compile a thorough and persuasive inventory of all the tasks that one is required to perform. I've advised people to consider a job study as a part-time evening job for several weeks, maybe months, in order to put your best foot forward. If an applicant is unwilling to commit the time, they might want to think twice about the workload that a promotion might bring too. Then, of course, the constant challenge all employees have is enduring the glacier pace in which these studies are evaluated. That is the subject of another article.



Healthy Saint Paul and Medica Rewards (For City members)

If you haven't already, create an account and log into mymedica.com. From here click on the health & wellness tab which will redirect you to the new Healthy St. Paul wellness program information.

On this page you can do your health assessment and sign up for phone coaching. **Important:** when you are on this page double check that your email address is listed and saved. This is how you will be notified of your \$20 gift card reward for every 100 points you earn, which is in addition to the VEBA/HSA money we receive. For every 100 points earned, you'll receive a \$20 gift card from Medica, up to \$100 per year.

After you get your 1st 100 points you will receive an email:

From: Hallmark Business Connections <HallmarkBusiness@hallmarkbusiness.com>
Subject: Medica My Health Rewards has sent you an Award

So don't junk this email because this is where you will select which \$20 gift card you want.

Any questions feel free to ask your department's Healthy Saint Paul wellness champion or visit www.healthy.stpaul.gov



Please join the PEA Executive Committee and your fellow members on Wednesday April 4, 2018 for PEA's General Membership Meeting

Where & When:

Joseph's Grill at Wabasha & Plato in Saint Paul

5:30 p.m. – Check in and Social Time

6:00 p.m. – Dinner

6:45 p.m. – Meeting

RSVP by Friday, March 30, 2018
to regina.etoll@ci.stpaul.mn.us

This dinner will be a Fajita Buffet

All dinners include a non-alcoholic beverage of your choice.

Agenda:

1. Introduction of Stewards and Executive Committee in attendance
2. Adoption of minutes from the October 3, 2017 General Membership meeting
3. Update from Mike Wilde, Legal Counsel
4. Executive Committee Reports
 - a. President – Karin Anderson
 - b. Treasurer – Melissa Zellmer
 - c. Personnel – Julie Kraus
 - d. Negotiations announcement – Todd Larson (SPPS) and Justine Roe (City)
5. Old Business
6. New Business
7. Adjourn

ALL members can attend the dinner/meeting, but only regular members may vote and participate fully in the Association (ie. Voting and bringing issues to the floor).

If you are a fair share member, please consider becoming a regular member today so you can be an active participant in your Association.

City Negotiations update

By the time you are reading this newsletter you should have received and completed a survey. The negotiations team is hopeful that a tentative agreement with the City will be available for your vote at the April general membership meeting. If you have questions you are welcome to call or email me, 651-266-1628 or peanegotiationscity@gmail.com.

Todd Larson, my Board colleague, had a great idea - a “know your contract” feature. I’ve decided to shamelessly steal it. Since it is a brand new year, I want to talk about deferred comp. A tax deferred 457 compensation plan is available through the State of Minnesota’s Deferred Compensation Plan and VOYA, Inc. This is available immediately upon hiring. That’s \$500 free dollars! To receive the \$500 match, you also need to contribute \$500, which is about \$20 a paycheck. You can of course contribute more. Contact Information: **MNDCP** 800-657-5757 or 651-296-2761 **VOYA** 800-262-3862



ARTICLE 24 – DEFERRED COMPENSATION

24.1 Effective January 1, 2017, employees with at least one (1) year of service will be eligible for a \$500 per year Deferred Compensation match by the Employer subject to the criteria listed below.

24.2 Eligibility and Implementation:

(1) For initial match, employees must have been employed for a minimum of one (1) calendar year.

Good news! The system that the City now uses for benefits is set up so that you would receive a match on the paycheck that follows your one year anniversary of working for the City, rather than having to work a calendar year, (January – December).

(2) Employees must be a member of the bargaining unit for a minimum of one (1) calendar year.

Same situation, the one year anniversary of when you become a member of the bargaining unit, rather than the January – December calendar year.

(3) Employees must be on the payroll as of the date of deferred compensation match.

Soon to be retirees, pay attention!

(4) If an employee takes a leave of absence to serve as a full-time union official, time served in such capacity, up to six (6) years, will be counted toward the years of service requirement.

Justine Roe
City Negotiations Chair
peanegotiationscity@gmail.com

PEA Calendar of Events 2018

add these dates to your calendar!

Wednesday, April 4 General Membership Meeting, Joseph’s

Wednesday, July 11 Board & Stewards Meeting, Joseph’s

Wednesday, October 3 General Membership Meeting, Mancini’s

PEA General Membership meeting — October 3, 2017

Held at Mancini's

Attendees: Issac Afwerke, Daniel Anderson, Karin Anderson (President), Brian Balfanz, Mary Ann Berglund, Lora Boehlke, Peter Borgen (Steward), Tom Bosman, Shannon Broderick, Sarah Brown (Steward), Tim Buer, Martha Burckhardt, Sue Butler (Steward), Cindy Carlson-Heins, Kathleen Conger (Steward), Rachel Coyle (Steward), Kelly DeHaut (Steward), Bill Dermody, Karen Edmond, Regina Etoll (Vice President), Connie Garrahy, Terry Giinther, Mary Gleich-Matthews, Dionne Griffin, Andy Hahn, Mary Henke-Haney, Susan Henry, Jenna Hernandez, Luke Holifield, Rick Howden, Bob Huntley, Henry Jerome, Vaughn Kelly, Julie Kraus (Personnel Chair), Jill LaCasse (Steward), Patty Lammers, John Larson, Katie Larson (Steward), Todd Larson (School Negotiations), Jessie Loftus, Shawn McDonald, Barb McMonigal St. Dennis, Mike Michaud, Mark Moody, Brigid Murphy, Pat Murphy, Dominique Murray (Steward), Joe Musolf, Sara Nurmela (Secretary), Lindsay Raab, Jason Reid, Amanda Rice (Steward), Justine Roe (City Negotiations), Dennis Rosemark, Alexis Rossow, Peter Rudrud, Paul Sawyer, Therese Scherbel (Steward), Asha Shoffner, Claire Simonson, Jerry Skelly, Julie Sobania (Treasurer), Lauren Stufft, Angela Tillges, Beth Ulrich (Steward), Luke Vang (Steward), Bill Vos (Steward), Angela Vreeland, Tricia Wehrle, Laura Weller, Mike Wilde (Legal Counsel), CJ Yang, Melissa Zellmer

Meeting called to order at 6:11pm.

Introduction of stewards and executive board members.

Minutes from April 4, 2017 general membership meeting – approved as written.

Reports of Boards & Committees

Vice President

City members, open enrollment is happening now. Be sure to pay attention to the information being sent out by Human Resources. You must enroll through the new system and make all of your elections. No information will “roll over” from 2017 benefit elections.

Beneficiaries for life insurance cannot be added during this time, they can be added after the open enrollment period. There are both a new insurance company and a new benefit enrollment computer system. If you are a new city employee and have not taken long-term disability insurance in the past, you would have to verify that you are able to be insured.

School District Negotiations

Todd is looking for people to join the negotiations committee. He wants to meet with members to get ideas and discuss items of importance. If you would like to volunteer, get a hold of Todd at his work email or peanegotiations.spps@gmail.com

City Negotiations

Justine hosted four luncheon meetings to discuss negotiations. Nine members showed up. She placed summaries of these meetings at the tables.

A summation:

Professional Development

- Timely JAQ process
- Continuing Ed
- Right to interview for current emp passing exam
- Student loan payment reimbursement
- Tuition reimbursement
- Mentorship Programs / Leadership Development

Financial

- Increased wages
- More steps
- Address disparity in pay for similar jobs across region
- Increased deferred comp match
- Retirement / Severance
- Adjust payout of severance (currently 1x/year)
- Lower threshold to earn severance
- Early retirement after 20 years w/ better benefits
- Phased retirement
- Option to receive comp time & vacation into PEHP
- Increase severance payout — currently \$10/hour

Working Conditions

- Ergonomics
- Teleworking
- Flexible work arrangements
- Sense of purpose for both the org and society at large
- Work culture emphasizing teamwork and a sense of community
- Frequent feedback vs. annual review
- Respect and trust from supervisor

Can reach Justine by her city email or peanegotiationscity@gmail.com to volunteer or help.

Personnel

253 city, 92 school district, 345 total members

PEA has gained 43 employees since this time last year.

Treasurer

Treasurer Julie Sobania no longer works for the City of Saint Paul.

\$93,177.67 fund balance — deposit from the school district was a little late, otherwise our balance is about the same as last year.

Legal Counsel Report — Mike Wilde

This is the second year of us moving the meeting to October.

Janus vs. AFSCME — since 1977 US law of the land was a case called Abood. Public sector unions could collect fair share duties from employees. The Janus case argues that all employees have a right to decide whether or not they want to join the union. The Supreme Court will be hearing this case again in summer 2018.

However, whether or not employees decide to join the union, the union has to represent everybody. “Fair share” or “agency” members have a small fee collected because they benefit from the contract negotiated for them.

If you are curious about what your union (PEA) does for you, here is a snapshot of what PEA has done in the past year:

- enforced deferred comp (with SPPS) and night differential (with City)
- worked on the architect job series with SPPS
- brought city into compliance with civil service rules
- reviewed engineers discriminatory effect on new hires
- settlement
- two large investigations, one in defense of an employee, and supervisor
- stewards sat in meetings for members
- lobbied for changes in PED and libraries
- countless promotion issues and improvement plans

These examples were only from October through February, not the entire year.

If the union is defunded, over the course of time the union becomes irrelevant.

Keep your eyes and ears open with respect to the law. The constitution prohibits from having people joining something they don't want to be a part in.

We have a bargaining unit of 345 – communicate with other members. Welcome one another and encourage others to become full members. Participate where and when you can.

Because of PEA bylaw changes made a year ago – if the law changes, non-members are advised in advance that if they want representation at grievances or arbitration they can receive it at a market rate for attorney fees.

In response to an employee question about right-to-work effects on public sector:

In the public sector — no changes in the past 6 months on this matter. But it continues to go on in the private sector. Unionization in the private sector is dying. There is no protection. Unionization in public sector is under attack. Strengthening membership is the best thing we can do.

Q: What is the going rate for legal?

A: Approx \$250/hour

Q: What is the difference between fair share and full right now?

A: \$4.80/month. \$32 for full members, \$27.20 for fair share.

Q: What would advice be to encourage coworkers to become full members?

A: Compare a year's worth of dues vs. how many legal representation hours, give them a copy of the collective bargaining agreement, general membership meetings

Q: What is the process to become a full member?

A: Contact personnel chair Julie Kraus, she will send an application.

Elections

Pursuant to the bylaws we gave advance notice of elections.

If you are a fair share member, you can't make a nomination, question, or vote.

The following four positions are running unopposed:

- Secretary — no nominees
- Personnel Chair — no nominees
- City Negotiations Chair — no nominees
- SPPS Negotiations chair — no nominees

All incumbents have agreed to stay on. Positions will be filled by current members filling those positions. Sara Nurmela, Secretary; Julie Kraus, Personnel Chair; Justine Roe, City Negotiations Chair; Todd Larson, SPPS Negotiations Chair.

All candidates for contested positions gave a small speech.

An election was held for the following positions.

Treasurer —

Melissa Zellmer

Mary Henke-Haney

VP —

Regina Etoll (incumbent)

Angie Tillges

President —

Karin Anderson (incumbent)

Asha Shoffner

Votes counted by: Brian Balfanz, Patty Lamers, Julie Sobania

Results:

Treasurer — Melissa Zellmer

VP — Regina Etoll

President — Karin Anderson

It has been a great election. Please continue to participate and be a part of the union.

John F. Blackstone PEA Member of the Year Award

Review of past winners. This year our winner has been a part of many difficult negotiations as a novice steward. Our honoree this year is Dominique Murray, steward for SPPS.

Meeting adjourned at 8:09pm.



Professional Employees Association

CITY OF SAINT PAUL & INDEPENDENT SCHOOL DISTRICT NO. 625

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.

Executive Committee

President	Karin Anderson <i>karin.anderson@ci.stpaul.mn.us</i>	CAO – 750 City Hall, 15 Kellogg Blvd. W., 55102	651-266-8765
Vice President	Regina Etoll <i>regina.etoll@ci.stpaul.mn.us</i>	CAO – 500 City Hall, 15 Kellogg Blvd. W., 55102	651-266-8726
Treasurer	Melissa Zellmer <i>melissa.zellmer@ci.stpaul.mn.us</i> <i>peatreasurer1@gmail.com</i>	OFS – 110 City Hall, 15 Kellogg Blvd. W., 55102	651-266-8821
Secretary	Sara Nurmela <i>peanewsletter@gmail.com</i>	HREEO – 280 City Hall, 15 Kellogg Blvd. W., 55102	651-266-8974
Personnel	Julie Kraus <i>julie.kraus@ci.stpaul.mn.us</i>	CAO – 400 City Hall, 15 Kellogg Blvd. W., 55102	651-266-8776
School Negotiations	Todd Larson <i>todd.larson@spps.org</i> <i>peanegotiations.spps@gmail.com</i>	SCHOOLS – 1930 Como Ave., 55108	651-744-1813
City Negotiations	Justine Roe <i>justine.roe@ci.stpaul.mn.us</i> <i>peanegotiationscity@gmail.com</i>	WATER – 1900 Rice St., 55113	651-266-1628

Staff & Others

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

Stewards

CAO / OFS / HREEO / Mayor's Office / Council Res / HR	Amanda Rice <i>amanda.rice@ci.stpaul.mn.us</i>	500 City Hall, 15 Kellogg Blvd. W., 55102	651-266-8737
DSI	Kathryn Larson <i>kathryn.larson@ci.stpaul.mn.us</i>	375 Jackson St., 3rd floor 55102	651-266-1935
Fire & Emergency Management	Jill LaCasse <i>jill.lacasse@ci.stpaul.mn.us</i>	645 Randolph Ave., 55102	651-228-6257
Libraries	Peter Borgen <i>peter.borgen@ci.stpaul.mn.us</i> <i>PeterBorgenUnionSteward@gmail.com</i>	Highland Park Library, 1974 Ford Parkway, 55116	651-695-3700
Libraries	Kathleen Conger <i>kathleen.conger@ci.stpaul.mn.us</i>	George Latimer Central Library 90 W 4th Street, 55102	651-266-7000
Libraries	Therese Scherbel <i>therese.scherbel@ci.stpaul.mn.us</i>	George Latimer Central Library 90 W 4th Street, 55102	651-266-7048
OTC	Luke Vang <i>luke.vang@ci.stpaul.mn.us</i>	600 City Hall Annex, 25 W. 4th St., 55102	651-266-6789
Parks & Recreation	Rachel Coyle <i>rachel.coyle@ci.stpaul.mn.us</i>	1100 North Hamline Avenue 55108	651-632-2431
PED	Beth Ulrich <i>beth.ulrich@ci.stpaul.mn.us</i>	1400 City Hall Annex, 25 W. 4th St., 55102	651-266-6689
Police	Kelly DeHaut <i>kelly.dehaut@ci.stpaul.mn.us</i>	367 Grove St., 55101	651-266-5606
Public Health	Sue Butler <i>sue.butler@co.ramsey.mn.us</i>	555 Cedar St., 55101	651-266-1321
Public Works	Bill Vos <i>bill.vos@ci.stpaul.mn.us</i>	900 City Hall Annex, 25 W. 4th St., 55102	651-266-6113
School District	Jim Engen <i>jim.engen@spps.org</i>	360 Colborne St., 55102	651-767-8346
School District	Dominique Murray <i>dominique.murray@spps.org</i>	1930 Como Ave., 55108	651-744-8307
School District	Jerry Skelly <i>jerry.skelly@spps.org</i>	360 Colborne St., 55102	763-422-9624
Water	Sarah Brown <i>sarah.brown@ci.stpaul.mn.us</i>	1900 Rice St., 55113	651-266-1635