



The Corner

by Mike Wilde, Legal Counsel

On April 5, 2016, PEA held its spring general membership meeting at Joseph’s in St. Paul. There were over 40 members in attendance after a proper notice and invite was issued in the quarterly newsletter. The meeting notice also alerted members to a Constitution & By-Law resolution that proposed charging nonmembers a reasonable service fee for PEA representation in grievances, hearings, and/or appeals if fair-share dues were ever ruled to be impermissible under the law.

The purpose of this amendment was to prepare PEA with a procedure for fairness between paying members and nonmembers and to maintain financial solvency to conduct our representational services. The amendment passed unanimously and the new language was added to Article II of PEA’s Constitution and By-Laws.

On June 27, 2018, the United States Supreme Court ruled in *Janus v. AFSCME* that fair share fees violate the First Amendment of the U.S. Constitution. The following month both the City and the St. Paul Public Schools discontinued the collection of fair share dues for PEA and all other public sector bargaining units. PEA implemented

the policy as allowed in our 2016 amendment.

The *Janus* Court stated that “individual nonmembers could be required to pay for that service or be denied union representation altogether.” This dictum is further supported in footnote 6 of the Court’s decision. Moreover, PEA previously relied on a Nevada Supreme Court decision that also allowed a reasonable service fee for nonmembers.

Grievance investigations have been presented to PEA during the weeks immediately following the *Janus* ruling. In each of these cases, PEA has notified nonmembers to alert them of this lawful policy and given each member the immediate opportunity to join PEA, if they voluntarily choose, or to forego representation in these matters. It is expected that in the very near future all nonmembers, who do not have pending grievances, and new members will be given another notice of this policy and a reasonable time within which to decide on their membership status in advance of any eventual request for PEA representation in grievances. Please contact the Executive Committee or me if you have any questions on this issue.

Recent Feedback From PEA Members

“I’m compelled to write about my recent experience with PEA. This is similar to how one would provide a five-star review for receiving outstanding customer service or purchasing a quality product and wanting to share this as a reference so that others can benefit. I recently made a difficult decision to resign after more than eight rewarding years at SPPS. It was invaluable to have access to an organization that provides objective, professional, and confidential resources to its members. PEA acted as a sounding board, offered valuable insight and expertise, provided creative options, and gave sound and practical advice. Knowing that this level of support was at my fingertips throughout my tenure allowed me to feel more confident and be a stronger more productive employee. I am very grateful that the level of care and member support I received when needed far exceeded my expectations. Thank you to PEA and its members.”

~ Jesse Mraz -7/12/18

Feedback continued on page 2

Gotta Serve Somebody

— Bob Dylan

Leadership is not static. Leadership is complex. Leaders add value by serving others. It takes many dedicated people to build a successful organization. I believe, as John C. Maxwell wrote in his book, The 21 Irrefutable Laws of Leadership (2007), that “the heart of good leadership is sacrifice” and “sacrifice is an ongoing process, not a one-time payment.” Mr. Maxwell goes on to say that the “bottom line in leadership isn’t how far we advance ourselves but how far we advance others... and that is achieved by serving others and adding value[] to their lives.”

I am very proud and honored to be a part of PEA and to serve you, the members of PEA, on the Executive Committee. PEA is comprised of competent, capable, educated individuals. The members of the Executive Committee, your stewards, and our legal counsel are smart, compassionate professionals who take their PEA jobs very seriously. They are all here to serve you, the members.

The Executive Committee, in particular, focuses on PEA’s mission, our contracts, and our constitution & bylaws to effectively advocate for you. It is comprised of leaders who bring value and benefit to each of you, the members of PEA. Discussions at the Executive Committee meetings are thorough in addressing workplace issues. Each individual is encouraged to confidently express their candid opinion. These candid discussions provide a clear understanding of the issues and assure wise and

thoughtful decisions. This takes time and trust. Often we have a long list of compelling issues in the workplace. For example, on the evening of Wednesday, July 11, the Executive Committee met with your stewards. We shared a meal and talked about current union issues. Following that meeting the Executive Committee held their normal monthly meeting. So, from 5:30 p.m. until 9:30 p.m. the other night, your union board was hard at work bringing value to you, by serving you, the members of PEA. What were we working on? We were working on how to define what a nonmember is in this new age after the Supreme Court ruling on *Janus*. We were working on how to continue to encourage all eligible City and School employees to be members. We were working on how we can keep our arms open in this time of change. We were working on how to allocate our Stewards’ skills. We were making sure the PEA Constitution and By-Laws are up to date. We were diligent and efficient and made excellent decisions to benefit you.

Help PEA, your union, be and stay strong. Support those who want to serve. Come to the General Membership meeting this October to participate and vote.

My very best regards,

Karin Anderson
PEA President

Feedback continued from page 1

In light of the recent *Janus* Supreme Court decision I would like to tell my recent situation. After 18 years of employment with the SPPS environmental services group, I suffered a non-work related injury. Recovery time would be a minimum of seven months, which would extend beyond the protection of FMLA. Five months into my recovery I received a letter stating I must return to work or my job would be filled immediately with a replacement.

PEA legal counsel has been advocating and helping me keep my position through reasonable accommodations for my temporary disability. Without this advocacy I would have had to attempt to represent myself or retain a lawyer at my own expense. I have been a full member for nearly my whole career, except when I was in a different bargaining unit, and I appreciate all of the support I have received through the years by PEA from contract negotiations to my current situation.

~ Pat Kenneally – 7/20/18

Dear Members,

You've likely heard from PEA multiple times by now about the Supreme Court ruling, *Janus*, that ruled public employees can no longer be required to pay dues to public employee unions for representation. However, under this ruling PEA and all public employee unions are still required to represent all public employees, even those employees who choose to no longer pay for those services.

PEA provides a lot of value to the employees it represents at some of the lowest dues in the state. We strive to give members a voice in their contract, enforce the contract in unfortunate circumstances when a member needs help, and intentionally do not engage in politics; focusing on representing members in their employment with the City and School District. If you are a member, thank you for supporting PEA for the services it provides. If you're a former fair share member, please consider the value PEA representation provides and consider becoming a member.

Continuing the "Know your contract" part of my updates, I'd like to highlight a change to the 2018-2019 Collective Bargaining Agreement with SPPS that we negotiated this spring.

Cost of Living Adjustment, the percent increase to all salaries, was implemented on July 1st of 2018 and will also be implemented July 1st of 2019. The delay in implementation was critical in securing a 2% increase in salaries from SPPS, who had much publicized a 1% cap on contract increases as part of their comprehensive negotiations communications. The negotiation team felt that while a 1% increase in January or a 2% increase in July end up being the same additional salary for that year, it increases the compounding amount in future years and provided greater long term value for members.

Salary steps continue to be implemented on January 1st, only the Cost of Living implementation moves to July 1. We have the option to return to January 1 in future negotiations, if membership prefers.

Sincerely,
Todd Larson
PEA SPPS Negotiations Chairperson



As I wrote in the previous newsletter, I am concerned with what I see as the City's desire to chip away at contract gains we have already made. I discussed the fact that the City would like to eliminate part-time health insurance. The City would also like to eliminate over-time and reduce retiree health insurance contributions. During negotiations just about everything is up for renegotiation. It isn't as if we take the current contract and add more good stuff to it. For everything we propose, the City costs it against something else. For instance, we proposed lowering the threshold to earn severance pay from the current 600 hours to something more in line with the amount of sick-time we currently earn. The City said it would cost 1.6% which would have been subtracted from the wage increases we received this year.

I bring this up because for the 143 of you who completed the survey sent last February, things like flexible work arrangements, continuing education opportunities, mentorship programs and leadership development ranked high in importance. I agree these things would go a long way in enhancing our work experience. But I don't think the negotiations table is the place to do it. However by forming labor/management committees, that might provide the opportunity to discuss creative ways to enhance our job performance, job satisfaction and work/life balance.

Respectfully,
Justine Roe
PEA City Negotiations Chairperson
peanegotiationscity@gmail.com



PEA's Annual Dinner / General Membership Meeting

Wednesday, October 3, 2018

Mancini's, 531 West 7th Street, St. Paul

Cost: FREE for Members, \$20 for Nonmembers (payable at the door)

5:30 p.m. Registration with Appetizers

6:00 p.m. Dinner

7:00 p.m. Meeting

Agenda

Introduction of Stewards and Executive Committee Members

Approval of April 4th General Membership Minutes

Reports of Board & Committees

Mike Wilde's Legal Counsel Update

Constitution and Bylaw Amendment Vote

Elections

Member Recognition

Adjournment

RSVP by Friday, September 28th to regina.etoll@ci.stpaul.mn.us,
include your entree selection of Chicken, Steak, Walleye, or Vegetarian Pasta.

Dinner includes salad, bread, baked potato, cake & choice of coffee, tea, milk or pop.
Please let Regina know if you have any special dietary needs.

Only full members may vote and participate fully in PEA.
If you are not a member, please consider becoming a member.

We look forward to seeing everyone there!



*** Nomination and Election Notice ***

Nominations and elections for the seven (7) executive committee positions will be held in October during our PEA general membership meeting. This notice was also provided to all members through their Stewards in early June.

Pursuant to the Constitution and Bylaws as ratified and amended at the April, 2018 General Membership meeting, “members are qualified to run for office on the Executive Committee or hold steward positions provided they have joined as regular members in good standing one year before the election or appointment for the Executive Board or selection for a steward position and have attended at least one general membership meeting in the past 12 months.”

The following incumbents have informed the Board that they intend on running again in their same position or in a new position that will be vacated at the end of the terms:

President – *Regina Etoll*

Vice President – *Justine Roe*

Treasurer – *Melissa Zellmer* (incumbent)

Secretary – *Sara Nurmela* (incumbent)

Personnel – *Julie Kraus* (incumbent)

Negotiations (City) –

Negotiations (SPPS) – *Todd Larson* (incumbent)

The position of City Negotiations Chair, which was previously held by Justine Roe, is an open seat that will be filled through October’s election.

Nominations should be sent to Mike Wilde (mike.wilde24@gmail.com) or made on the floor at the meeting. Nominations can be made for any executive committee position. Nonmembers cannot participate in the nomination process, election, or voting. Diversity is important in the healthy functioning of all organizations. Minorities are encouraged to fully participate and consider running for office.

As stated in the Constitution and Bylaws “[e]ach nominee is encouraged to submit a short biography that will be submitted in the meeting notice and/or newsletter preceding the election meeting. Qualified regular members that are nominated from the floor understand that they will not have had the opportunity to submit such biography for the meeting notice or newsletter.” Submitted biographies will be included in the special edition elections newsletter.

Notice: Constitution & By-Law Vote

Pursuant to Article XI of PEA’s Constitution and By-Laws, this is notice that the Executive Board has made a resolution by motion to present the general membership with a proposed amendment to the by-laws. Discussion of the proposed amendments and a vote by regular members will be held at the general membership meeting on October 3, 2018.

A summary of proposed changes:

- Language adjustments regarding nonmembers (formerly “fair share” members)
- Housekeeping changes

The proposed amendments will be posted in the special edition elections newsletter.

Minutes from

PEA General Membership Meeting – April 4, 2018

Attendees: Issac Afwerke, Karin Anderson (president), Brian Balfanz, Jeremy Berger, Mary Ann Berglund, Lora Boehlke, Peter Borgen (steward), Tom Bosman, Shannon Broderick, Sue Butler (steward), Cindy Carlson-Heins, Kathleen Conger (steward), Rachel Coyle (steward), David Crawford, Kelly DeHaut (steward), Karen Edmond, Regina Etoll (vice president), Jim Giebel, Abdelsalam Hamid, CeCe Hauge, Laura Haynssen, Mary Henke-Haney, Jenna Hernandez, Luke Holifield, Johnny Howard, Bob Huntley, Henry Jerome, Jason Jones, Vaughn Kelly, Mark Kile, Julie Krause (personnel chair), Jill LaCasse (steward), Katie Larson (steward), Janos McGhie, Mike Michaud, Pat Murphy, Dominique Murray (steward), Joe Musolf, Tanvir Noor, Sara Nurmela (secretary), Brianna Nyquist, Amanda Rice (steward), Justine Roe (city negotiations chair), Alexis Rossow, Peter Rudrud, Paul Sawyer, Therese Scherbel (steward), Fay Simer, Leslie Spring, Angie Tillges, Luke Vang (steward), Bill Vos (steward), Angela Vreeland, Laura Weller (welcoming committee chair), Melissa Zellmer (treasure), Sara Zorn, Mike Wilde (legal counsel)

Meeting called to order at 6:34pm.

Introduction of Stewards and Executive Committee members in attendance.

Minutes from October 3, 2017 general membership meeting approved as written. If any edits are needed please email peanewsletter@gmail.com.

Legal Counsel update – Mike Wilde

PEA started in the mid 1970s. Mike asked members raise their hands if they've never attended a PEA meeting before. We are a small organization representing professional employees. Started with engineers, then grew to accountants, librarians, and other professionals. We have two bargaining units in one organization. PEA has nearly 100 members from the school district, about 250 from city. Mike read PEA mission statement aloud.

Dues are \$32 / month, which is extremely reasonable. We also serve meals to general membership twice per year. Fair share members (\$27.20/month) cannot introduce topics at meetings or vote.

The Janus case in the Supreme Court would not allow PEA to collect fair share dues. This means there would be dues paying and non-dues paying members. This would change what public employee unions are able to do since they would be collecting less in dues. (With some members not paying.)

Welcoming Committee

Introduction of Laura Weller, Welcoming Committee chairperson. She approached the board about creating a committee/group that welcomes new members to PEA, and to see if they have questions. She describes this as "Politely invading personal space" to welcome new PEA members. The committee has been going well, they have met with 25-30 people so far. She reports to executive board about meeting with new members.

Executive Committee Reports

President – Karin Anderson

Labor Management Committee for Health Insurance (LMCHI, City) – talking about introducing a third dental plan that would cover some orthodontics. If you have any questions or issues with the new health insurance plan (Medica), feel free to contact Karin.

Treasurer – Melissa Zellmer

\$89,391.02 fund balance as of March 31, 2018.

We take pride in taking good care of your funds. Fund balance has been holding fairly steady. If you have any questions, feel free to ask.

Personnel – Julie Kraus

262 city members, 98 school district members, 361 total members.

City Negotiations – Justine Roe

54% of city members completed the online survey, which is great. 122 of 143 respondents seem to like their jobs. 46% have been with city less than 5 years. 109 of survey respondents participate in deferred compensation.

Justine will send a summary of survey results to stewards.

Have had 2 meetings with labor relations so far. Next (third) meeting is from Friday, April 13.

Asked to lower thresholds for sick time reimbursement – when leaving city (severance) and also for “sell back to vacation”. Other requested items: higher deferred comp match amount, greater severance reimbursement for sick time if give early notice of separation, sick time accrual payout threshold reduced (less hours needed for payout), 2 year rather than 3 year contract, introduction of a 20 year step. A member asked about professional development or payment of dues for licensure. This is covered in Article 16.1 – “The City shall pay or reimburse the employee for all continuing education tuition costs that are required for any employee to maintain his or her license or registration as mandated in the employee’s job description. The minimum qualifications will determine whether the professional license or registration is a mandatory job requirement.”

Question: If dues cannot be collected, is this our last negotiated contract? (due to pending Janus supreme court case)

Answer: Mike believes our union would be ok for a while (4-10 years). To get an idea of what the difference is between negotiated contracts and a right-to-work state, compare jobs and compensation between the two.

Q: What are dues used for?

A: Executive board salaries, steward salaries [misstatement – steward union dues are waived], committee staff, food at meetings, Mike’s salary (Legal Counsel).

Q: Is increasing amount of vacation carryover included in contract negotiations?

A: No. Is still 120 hour vacation carryover year to year for city members.

Q: how will we be notified of contract vote?

A: a summary will be distributed, and there will be two contract vote meetings.

School Negotiations

Update provided by Mike Wilde. The school district is in negotiations right now. Have made several requests, he did not bring the platform to the meeting. Some requested items include: wage increase, uncapped professional development. There has been a lot of conversation around overtime language.

Old Business

None.

New Business

Constitution / By-law amendment vote

A member from the last general membership meeting requested that some language be added about having a threshold of full share membership before being able to run for an elected position.

Discussion about proposed constitution / by-law additions. Proposed changes distributed by email to membership on March 20, 2018.

Discussion topics mentioned by membership:

Takes a while as a new employee to figure out if prefer to be fair share/full share.

Unnecessarily exclusive to new employees.

With current language, could change from fair-share to full share same day to run for elected position.

Could it be so that it waived the provision of being a member for a year?

How do the stewards change? (Answer: stewards are an elected position, but are appointed/approved by executive board if no one is elected)

Should term limits be considered?

Revised amendment change as suggested by collective membership. Per Mike Wilde Legal Counsel, there was enough discussion and a semantics edit to proposed amendment – a paper vote on amendment changes was held.

Revised articles (changes underlined)

ARTICLE II - Membership

3. Fair Share members shall include any employee for whom this Association is designated as exclusive bargaining agent and who has elected to not join the Association and pays Fair Share dues. Fair Share members are prohibited from voting, attending contract votes, holding office or steward positions, or introducing new business items during scheduled meetings. If Fair Share monthly assessments under PELRA (Minn. Stat. § 179A) are prohibited under law, the Association shall charge nonmembers of the Association a reasonable service fee or fees for representation in grievances, appeals, and/or hearings. The service fees shall be determined by the Executive Committee. Members are qualified to run for office on the Executive Committee or hold steward positions provided they have joined as regular members in good standing one year before the election or appointment for the Executive Board or selection for a steward position and have attended at least one general membership meeting in the past 12 months.

Article IV. Terms of Office and Elections

2. A Nominating Committee shall be appointed by the President ninety (90) days prior to the date of the general membership meeting at which elections are to be held prior to the end of the current term. The Committee shall submit at least one name for each office and chair to the membership at the election meeting. Each nominee is encouraged to submit a short biography that will be submitted in the meeting notice and/or newsletter preceding the election meeting. Qualified regular members that are nominated from the floor understand that they will not have had the opportunity to submit such biography for the meeting notice or newsletter.

Members were dismissed if they voted and did not want to stay for the results. (7:47pm)

Amendment votes counted by Peter Borgren & Amanda Rice:

48 Yes

5 No

Amendment changes passed.

Meeting adjourned at 7:53pm.



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

DSI & Police	Brian Balfanz <i>brian.balfanz@ci.stpaul.mn.us</i>	367 Grove St., 55101	651-266-5531
Fire, Emergency Management, CAO, OFS	Jeremy Berger <i>jeremy.berger@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 / HREEO	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
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	Brianna Nyquist <i>brianna.nyquist@spps.org</i>	1930 Como Ave., 55108	651-744-1807
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