



The Corner

by Mike Wilde, Legal Counsel

Is the newsletter dead? We won't know if we don't ask. And since it has been a question bounced around at our PEA Executive Committee meetings for over a year, I thought I would come right out and ask. Now it should be obvious to anyone who is actually reading this that the mere question does not substitute for a survey. In fact, I'm just running my own little experiment. As silly as it sounds, if you're reading this article fire me off a short email (mike.wilde24@gmail.com). Just add "read it" in the subject line. If I don't get more than a dozen replies, I will feel like we are howling into the void.

Whether the newsletter is the best forum to get information to our members remains to be seen. But the topics we raise should be informative and relevant in whatever format they are communicated. In this article I will address a few subjects that have been raised by several people, coincidentally, over the last six months. I hope it is informational.

When promoted into a higher classification how is an employee's placement on the step scale determined?

The Civil Service Rules address this matter. First, Rule 28.B.4 states that "No person holding a graded position shall suffer any reduction in compensation if appointed to some other position in the same grade or to a higher grade..." So a reduction in compensation should never happen - that is quite obvious.

Second, Rule 28.B.5 gives the promoted employee the minimum step in the higher position provided that this results in at least a 5% increase. This rule states "If any person holding a graded position is promoted to a position in a higher grade and the minimum rate for the position in the higher grade is at least five percent higher than his present salary, they shall be paid the minimum rate," (plus one additional step if they have already received a fifteen year increase).

The same rule goes on to say that if the promotion does not equate to at least a 5% increase, then another step is added to the promotion. Officially it reads as follows:

"If any person holding a graded position is promoted to a position in a higher grade and the employee's present salary is equal to, more than, or less than, but within five percent (5%) of the minimum rate for the higher grade, they shall be paid at the next salary step which is at least 5% higher than their present rate..." This is how City and District employees are compensated when promoted or reallocated.

How long will my job study take to reach conclusion?

I can imagine a number of readers are either rolling their eyes or letting out a knowing groan. Because many people who have completed the rather rigorous and lengthy job studies (aka JAQ) have waited six or nine months, sometimes even a full year. This isn't meant to blame anyone in particular. I mean it's too easy to sit back and complain about how long it takes to learn of the JAQ findings, but a large number of people say that it takes way too long.

Officially, article 14.2 in the City contract states that "whenever possible" the Human Resources Department shall attempt to complete the evaluation in 90 days. The aspirational timeframe however is merely the City's agreement to establish a rough estimate. The HR department itself actually strives for an internal goal of 50 days until completion. But if those deadlines are exceeded, it does not guarantee back pay. There are occasions where back pay has been granted but it usually comes from the support of the supervisor who is involved in the study.

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Can PEA grieve a performance improvement plan (PIP)?

If you turn this question upside down, the answer becomes obvious. Can management oversee and manage an employee’s work? Of course. So the mere use of a PIP is not grounds for a grievance. However, the process can get a lot of unspoken matters out in the open, discussed and documented. If an employee does not know there are deficiencies or has not been given the resources to address a work duty, the PIP can be a job saver. Most employees are initially upset when put on a PIP, but often it serves to identify problems and even educate the supervisor about challenges they might not have understood. Most PIPs work.

These are three short responses to questions that members raise frequently. Now is the time to participate in my tiny experiment and say “read it” in your email to me. *mike.wilde24@gmail.com*

Complete email silence will be an indication that rigor mortis is setting in.

**Meet Your
New Steward:**

**Sarah Zorn –
PED**

I have worked for the City for twelve years, first as a Planning Intern and then as a Senior Project Manager. Currently I am a Principal Project Manager in the Housing Division of the Department of Planning and Economic Development. As a Housing PPM, I negotiate and manage complex finance deals to help real estate developers create and retain quality affordable housing. I appreciate the importance of my work and its life-changing impact on the citizens who benefit from these projects.

Outside of the office, my life is consumed by raising two wonderful children and volunteering in the community. One interesting tidbit: I serve as an Investigator for the Second Judicial District Ethics Committee.

I recognize the value PEA brings to our work environment and look forward to serving as the new PED steward.

PEA CALENDAR OF EVENTS 2019

add these dates to your calendar!

Thursday, April 4 Spring General Membership Meeting, Joseph’s
Everyone is welcome!

Wednesday, July 10 Board & Stewards Meeting, Joseph’s
(stewards & executive board only)

Thursday, October 3 Fall General Membership Meeting, Mancini’s
Everyone is welcome!



Please join the PEA Executive Committee and your fellow members on Thursday April 4, 2019 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 – Fajita buffet

6:45 p.m. Meeting

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

RSVP by Friday, March 29, 2019

to justine.roe@ci.stpaul.mn.us

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, 2018, General Membership meeting**
- 3. Update from Mike Wilde, Legal Counsel**
- 4. Executive Committee Reports**
 - a. President – Regina Etoll**
 - b. Treasurer – Beth Ulrich**
 - c. Personnel – Julie Kraus**
 - d. Negotiations – Todd Larson (SPPS) and Joe Musolf (City)**
- 5. Old Business**
- 6. New Business**
- 7. Adjourn**

Everyone is welcome to attend the dinner and meeting, but only members may vote and participate fully in PEA. If you are not a member, please consider becoming a member today so you can be an active participant in your Association.

We look forward to seeing everyone there!

Minutes from

PEA General Membership meeting – October 3, 2018

Attendees: Issac Afwerke, Anne Ahiers, Karin Anderson (President), Brian Balfanz (Steward), Lora Boehlke, Peter Borgen (Steward), Shannon Broderick, Jennifer Bruntlett, Tim Buer, Cindy Carlson-Heins, Kathleen Conger (Steward), Dawn Cornell, Rachel Coyle (Steward), David Crawford, Erin Dimond, Karen Edmond, Regina Etoll (Vice President), Abdelsalam Hamid, CeCe Hauge, Laura Haynssen, Mary Henke-Haney, Jenna Hernandez, Liz Hixson, Julie Hostak, Rick Howden, Bob Huntley, Sarah Jenkins, Henry Jerome, Kelsey Johnson-Kaiser, Jason Jones, Vaughn Kelly, Mary Knox, Julie Kraus (Personnel Chair), Patty Lammers, John Larson, Todd Larson (School Negotiations), Jessie Loftus, Janos McGhie, Ann McLoughlin, Penny McMahan, Karl Mueller, Brigid Murphy, Pat Murphy, Joe Musolf, Sara Nurmela (Secretary), Brianna Nyquist (Steward), Lindsay Raab, Jeannette Rebar, Nora Riemenschneider, Justine Roe (City Negotiations), Alexis Rossow, Peter Rudrud, Katie Salaba, Paul Sawyer, Therese Scherbel (Steward), Emma Singer, Elizabeth Stiffler, Michele Swanson, Beth Ulrich (Steward), Luke Vang (Steward) Song Vang, Bill Vos (Steward), Angela Vreeland, Tricia Wehrle, Pang Yang, See “CJ” Yang, Melissa Zellmer (Treasurer), Sarah Zorn, Mike Wilde (Legal Counsel)

Meeting called to order at 6:15pm.

Introduction of executive board members and stewards. Thank you for all of your hard work for PEA.

Secretary's Report

Motion by Kelsey Johnson-Kaiser, second by Brian Balfanz to approve minutes from April 4, 2018 general membership meeting.

City Negotiations

Our contract has been approved for three years. Justine will be getting some print copies soon.

School District Negotiations

Wage increases went into effect January 1, however we are still waiting for the contract to be signed. The contract has 2% wage increases and other benefits for family health insurance. Overall it is a good contract. Recently the school district went through the process to find a new health insurance policy. Everyone will have to re-enroll this year during open enrollment. A 0% increase in premiums with the new health insurance policy. Todd would like to have someone help with the Health Insurance / Wellness committee and attend those meetings. Please talk to Todd if you are interested in helping with this.

Labor Management Committee on Health Insurance — City employees (LMCHI)

Dollar amounts came in under the cap for increases. Dental insurance is changing, keep an eye out for info at open enrollment.

Treasurer's Report

\$96,445.66 bank balance all funds. Budget to actual comparison for first 3 quarters of year — we are at a break even right now, which is encouraging for the many changes that have occurred over the past year.

Personnel

Last year we had 345 members, this year currently have 354 employees that PEA represents. Of this amount we have only 55 non-members. (Was formerly 81 fair share members)

Membership: 262 city, 92 SPPS, 354 total members.

Vice President

Read and re-read your contract. Understand the rights your union has bargained for you. Ask if you have any questions.

Legal Counsel Report

This year has been a busy year, one of the busiest in the past 20 years.

Some things we have covered:

- Scheduling, overtime, and discipline issues
- Faced a unit clarification petition
- Decide on an approach with temporary workers. We are keeping an eye on temporary employees so they are not kept as temporary for too long. If there is work available it should be full-time positions with benefits rather than temporary.
- Job description changes in schools
- Formal challenges to job studies. PEA does not get involved with individual job studies. Job studies generally have to be approved by management or they will not pass. Unless there are certain issues, PEA does not get involved on individual job studies due to conflicts of interest. There is no contractual right to a job study.
- Two grievances directly related to job studies and job classifications.
- Requests for reasonable accommodations re: outgoing employees and veterans preference.
- Two contracts approved until 2020. Both passed unanimously
- Karin has served as president for 6 years — her leadership and commitment will be missed.
- Representation of five employees denied step increases after a promotion. Got approximately \$20,000 in back pay for those members.
- Passage of *Janus* through the Supreme Court — so central to public employment in this state. nothing was able to stop it. This change means that people can get all benefits that colleagues negotiate for you and cannot require payment of dues. Over 20 former fair share members stepped up to become members.

Constitution and By-law Amendment changes

Voting space on elections ballot for constitution and bylaw changes. Red-lined copies of changes sent out to membership via the Quarter 3 2018 and special edition elections newsletter. Copies of changes were available at each table for review, and are included at the end of these minutes.

Motion by Patty Lammers, seconded by Brian Balfanz to approve proposed amendment changes to constitution and bylaws. No additional discussion.

All in favor, none opposed. (Did not need to use ballot for votes.)

Elections

Mike (Legal Counsel) is nominations committee member — he is appointed to open election notice and give equal opportunity for those eligible to run for office. This year we have no known nominations from the floor.

Position — candidate(s)

Positions running unopposed, no nominations from the floor — approved by acclamation by members present at the meeting.:

President — Regina Etoll

Vice President — Justine Roe

Treasurer — Beth Ulrich

Secretary — Sara Nurmela (incumbent)

Personnel — Julie Kraus (incumbent)

Negotiations Chair (SPPS) — Todd Larson (incumbent)

For the position of City Negotiations Chair, Patty Lammers and Joe Musolf gave brief speeches about their qualifications and interest in the city negotiations chair position.

Vote by ballot — ballots counted by members Julie Hostak and Salaam Hamid.

Results — Joe Musolf will be next City Negotiations chair.

President

Thank you all for coming and making good choices and choosing people that step up to the plate. Karin has been a part of this for a long time, and it has been an honor to work with PEA.

Member Recognition — PEA John Blackstone member of the year award

In 2012, the award became the PEA John Blackstone member of the year award.

This year the member of the year is Laura Weller. She is no longer a city employee, yet in her time with PEA, became the head of a newly formed welcoming committee to welcome new employees into our membership. She didn't know much about unions but was willing to be an ambassador for PEA — she took the ball and ran with it and met personally with new employees.

Special Recognition — Karin Anderson

In 1999, the legal assistants at the City became certified employees, and PEA took on nearly 20 new members in welcoming them as members.

Mike pulled up minutes from when Karin first came on board with PEA. She was active in moving legal assistants from AFSCME to PEA.

Notes from Karin's first meeting in 1999 describe her as "Intelligent and outspoken", which is an understatement. After only a month she took on the Negotiations Chair position.

She has worked tirelessly and served as president for the past 6 years. This organization will miss her and her leadership with PEA. Presented a special award for her 19 years of service to the PEA board.

Meeting adjourned at 7:50pm.



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	Regina Etoll <i>regina.etoll@ci.stpaul.mn.us</i>	CAO – 500 City Hall, 15 Kellogg Blvd. W., 55102	651-266-8726
Vice President	Justine Roe <i>justine.roe@ci.stpaul.mn.us</i>	WATER – 1900 Rice St., 55113	651-266-1628
Treasurer	Beth Ulrich <i>beth.ulrich@ci.stpaul.mn.us</i>	PED – 1400 City Hall Annex, 25 W. 4th St., 55102	651-266-6689
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	Joe Musolf <i>joe.musolf@ci.stpaul.mn.us</i>	PED – 1400 City Hall Annex, 25 W. 4th St., 55102	651-266-6594

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	Mary Henke-Haney <i>mary.henke-haney@ci.stpaul.mn.us</i>	1100 North Hamline Ave., 55108	651-248-6500
PED	Sarah Zorn <i>sarah.zorn@ci.stpaul.mn.us</i>	1100 City Hall Annex 25 W. 4th St., 55102	651-266-6570
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