



General Business Updates

by Regina Etoll, President

New Email Address

You may receive an email from Professional Employee's Association. This is not a scam. I have created a new email address for a number of reasons, so please feel free to send your questions, comments and concerns to PEAmyunion@gmail.com

With the “new” way of doing business we have had to rethink the way we are meeting and voting.

Meetings

The Executive Board has been meeting via Zoom since March and we recently had the Stewards Meeting via GoToMeeting. We are still hopeful that we will be able to have the General Membership Meeting at Mancini's in October, but we are preparing for virtual options. Currently Zoom and GoToMeeting seem to be similar and meet our needs.

If any of you have suggestions on other virtual meeting platforms or have an opinion one vs. the other, please let me know.

Voting

Now that it is even more difficult than before to meet in-person, the Executive Board has decided that if the General Membership Meeting can be held at Mancini's as planned, then voting on the seats of the Executive Board will be done in-person as usual. Otherwise, voting will take place electronically.

A few things coming up that will require a vote 1. SPPS Contract will be ready soon, 2. seats on the Executive Board, and 3. eventually, the City Contract.

Please remember that ONLY members can vote. If you are not a member and would like to become a member, or if you have questions about your membership status, contact Julie Kraus, Personnel Chair -- julie.kraus@ci.stpaul.mn.us.

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.

The Corner

by Mike Wilde, Legal Counsel

Memorial Day weekend in 2020 was more memorable than anyone could have imagined. Not only were we in the depths of a worldwide pandemic, but another catastrophe rocked our communities. The murder of Minneapolis resident George Floyd under the custody and control of a Minneapolis police officer gave the world yet another example of intolerable police abuse towards black men. The tinderbox of emotion and outrage was set afire. And the streets of large cities across the country burned as well.

In the weeks that followed, and well into the future, dialogue and discussions often circulated around the role of the Minneapolis Police Union. More broadly, questions were raised about all police unions in large metropolitan areas. Much of the focus was on the cultural tolerance of bigotry and abuse inside of some police organizations, especially the unions. Like concentric circles widening across the water after the initial splash, the conversations expanded to include all public unions. What started as legitimate questions about the difficulty in terminating the employment of a rogue cop turned into scrutiny over all job protection.

This newsletter article is not advocating or supporting the grossly inhumane conduct we saw in the video as carried out by former officer Derek Chauvin. Nor are we attempting to explain the cultural toxicity that might exist in some police unions. Instead, I would like to share more detail about unionized job security and separate it from many of the misconceptions.

The applicable employment law in the vast number of job settings is that the employee is merely an employee-at-will. This literally means that the employee can be terminated from their employment for whatever reason or no reason at all. The limited and obvious exception to employment-at-will terminations is discrimination. It should be understood by everyone that employers are not ever going to announce that they're terminating someone's employment because "she is too old" or "we don't like his nationality." In fact, human resource professionals are trained at great lengths to remain as vague and obscure as possible. In other words, management lawyers counsel the employers to terminate without giving any reason at all. This helps make discrimination cases extremely difficult to win.

The employment-at-will status is based on the illusion that both employer and employee are on equal footing and can walk away from the employment relationship at any time as either one of them might choose. But the power structure is anything but equal. Employees have but one employer, on most occasions. An employee usually relies on their earnings to provide shelter, food and comfort for their family. The longer one stays with a single employer, the more difficult it is to move into different jobs. Skills become more narrow and defined to the single employer. And alternative job opportunities might be lost due to staying with the secure employer. In reality, an employer is an individual's livelihood.

However, the employer likely has dozens or hundreds of employees. When one person doesn't fit their liking, they have other workers who can pick up the workload or usually an army of unemployed and underemployed people who will gladly apply for the job. In most cases then the individual employee is the employer's replaceable resource.

To equalize the power structure and provide a modicum of security for its members, unions typically negotiate the "just cause" standard in its discipline process. In PEA both the City and SPPS labor contracts require the employer to have just cause before terminating the employee. ***Just cause is the standard that management must adhere to when disciplining or discharging an employee.*** It means that in union settings, the employer must have a reason to act in disciplining an employee and the reason must be just and fair.

This standard does not make it impossible to terminate an employee. It is worth understanding that management prevails on about 65-70% of its discipline cases. The union by contrast only succeeds in enforcing the just cause standard in about 30% of the Minnesota cases that actually go to hearing. But remember that the union is not obligated to bring every case to a hearing. If the internal review by the union, including PEA, reveals that the employer has indeed established just cause then the termination remains unchallenged.

Despite this long-standing labor standard that helps protect employees against arbitrary or misguided terminations, there is a push in the political body to eliminate your job protections. It seems as though some are eager to throw the proverbial baby

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out with the bathwater. But consideration should be given to the alternatives. First, unions need to individually look in the mirror and ask if they are advancing a case because they fear their members' wrath for not fighting hard enough or do they really believe in the merits of the case. Too often a union, including the police, don't exercise their obligation to good members, good employees and acceptable standards. Some cases don't deserve a defense. Courage will call those out.

Second, management simply needs to prepare their cases better. If an employee is going to lose his or her livelihood, then the employer should conduct fair investigations, good documentation, opportunity to improve and proper notice. These things should be handled as equally as possible and be well documented.

With emphasis on both the unions' responsibilities and managements', the just cause standard itself is worthy of protection.



General Membership Meeting

**Wednesday,
October 14, 2020**

Location: stay tuned
planning on Mancini's for now, may be virtual
(an updated invitation will be sent closer to the date)

Meeting: 5:30-7:00 PM

RSVP to Justine at justine.roe@ci.stpaul.mn.us

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

Wellness Program Reminder for City Employees

by Sara Nurmela, Secretary & Newsletter Editor

[This is only for those with city health insurance coverage. Everyone else can disregard]

Don't forget about the Healthy Saint Paul wellness program to earn up to \$900 in HRA contributions in 2021.

Info can be found here: <http://healthy.stpaul.gov/>



Program Dates

The 2020 Well-being Program begins January 1, 2020 and runs through December 31, 2020.

Points

Starting January 2020, earn a total of 3,500 points to qualify for your full \$900 HRA contribution. Just 1,500 points needed for a \$300 HRA contribution. And, earn Medica incentives along the way! (up to \$100 in gift cards)

<http://healthy.stpaul.gov/whats-new/>

Virgin Pulse app

If you haven't already, I would highly recommend downloading the Virgin Pulse app. It is an easy way to keep track of the number of points earned so far. You can also easily redeem points for gift cards through the app.

<http://healthy.stpaul.gov/wp-content/uploads/2020/02/VirginPulse-Login-Healthy-Saint-Paul-2020.pdf>

*** Nomination and Election Notice ***

Nominations and elections for the seven (7) executive committee positions will be held on October 14 during our PEA general membership meeting. This notice was also provided to all members through their Stewards in July. The incumbents below have informed the Board that they intend on running again in their same position:

President – *Regina Etoll*

Vice President – *Justine Roe*

Treasurer – *Beth Ulrich*

Secretary – *Sara Nurmela*

Personnel – *Julie Kraus*

Negotiations (City) – *Joe Musolf*

Negotiations (SPPS) – *Vaughn Kelly*

Qualifications

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 a member 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.” However, the Board voted unanimously on July 10th to temporarily suspend the attendance qualification for 2020 (as underlined) because the COVID-19 pandemic has interrupted regular meetings and prevented attendance. PEA wants to be inclusive to all members who would like to run for office.

Also 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 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.”

* If there are new candidates, a Special Election Newsletter will be sent out with submitted biographies. Otherwise the bios for many of the incumbents can be found at *peaonline.org* by clicking on Newsletter and Elections Special under 2018.

Nominations should be sent to Mike Wilde (*mike.wilde24@gmail.com*) or made through participation at the meeting. Nominations can be made for any 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.



Professional Employees Association

CITY OF SAINT PAUL & INDEPENDENT SCHOOL DISTRICT NO. 625

www.peaonline.org

Executive Committee

President	Regina Etoll <i>regina.etoll@ci.stpaul.mn.us</i> <i>PEAmyunion@gmail.com</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	Vaughn Kelly <i>vaughn.kelly@spps.org</i> <i>peanegotiations.spps@gmail.com</i>	1930 Como Ave., 55108	651-744-1682
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
Member Outreach & Education Coordinator	Jeremy Berger <i>jeremy.berger@ci.stpaul.mn.us</i>	645 Randolph Ave., 55102	651-228-6257
LMCHI (City)	Karin Anderson <i>karin.anderson@ci.stpaul.mn.us</i>	CAO – 700 City Hall, 15 Kellogg Blvd. W., 55102	651-266-8765
LMCHC (SPPS)	Charlie Colvin <i>charles.colvin@spps.org</i>	1930 Como Ave., 55108	651-744-6309
Newsletter	Sara Nurmela <i>peanewsletter@gmail.com</i>	HREEO – 280 City Hall, 15 Kellogg Blvd. W., 55102	651-266-8974
Webpage www.peaonline.org	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, Public Health	Brian Balfanz <i>brian.balfanz@ci.stpaul.mn.us</i>	367 Grove St., 55101	651-266-5531
Fire, Emergency Management, CAO, OFS	Patricia Lammers <i>patricia.lammers@ci.stpaul.mn.us</i>	367 Grove St., 55101	651-266-5455
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 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