



Letter from the President

by Joe Musolf, Interim President

Dear PEA friends,

It is certainly an honor to have been elected as your President for the next year. But I recognize it is also a great responsibility. I pledge to you that I will work tirelessly to advance our interests and to assure that our contracts are properly enforced. I'm also committed to maintaining the financial and organizational health of our association and I hope to foster an increased exchange of information and fellowship across our membership.

I am pleased to welcome two newly elected members to the Executive Committee. Please join me in congratulating Bri Nyquist as our new Secretary and Mary Henke-Haney as our new Personnel Chair. And congratulations as well to our new Vice President, Sara Nurmela. Including our Treasurer Beth Ulrich and our City Negotiations Committee Chair Patty Lammers, who will both be continuing in their roles for another year, you've elected an extraordinary Executive Committee of thoughtful, knowledgeable members eager to represent your interests.

PEA is a strong, healthy organization. We have seen consistent growth in the number of members, and we have held, even increased, the percentage of our membership who opt in as full members. We stand on firm, well managed finances and manage to do so with lower dues than most of the other bargaining units in the School District and the City. We consistently negotiate favorable contracts with our employers. And, I think most importantly, we provide, day-in and day-out, support, advice and legal counsel to members who are sorting through various challenges with management. This is perhaps the greatest value our organization brings to our members: Know that if you ever have a question about the terms of your employment, or your relationship with management, or, yes, every once in a while, you might be dealing with a disciplinary matter, know that all the resources of PEA are only a phone call or an email away.

Please, if you haven't already, get to know your Steward. They are there for you as a first line PEA resource. And behind them is our Executive Committee. And of course, we're lucky to have the services of our Legal Counsel, Mike Wilde, at our disposal. I also want to say that, while your Steward might be aware, or cc'ed on issues you might be dealing with, we won't insert ourselves until asked. But please know that if you seek our assistance, we'll bring it!

So, here's to a great 2023! Thanks again for your support and confidence. Don't hesitate to reach out to me directly. I'm always happy to chat, either about an employment issue, or even just to get to know you better. I'm in awe of all the interesting and important things each of you do every day, in service of the people of Saint Paul, to assure we continue to have such well-functioning schools and city government.

Thank you and best wishes,

Joe Musolf

President, PEA

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

It wasn't that long ago, granted a few years seem to pass more quickly as we age, when a colleague and I were ironically discussing the value of time. We just needed more of it because the work could never get done. I don't know if we were daydreaming of a day when all work is completed or finding those fictional extra hours in a day. Either way, one of us made a rather absurd comment. It was something to the effect of, "we just need everything to pause for awhile, so we can catch up." Ah... if only. Shortly afterwards, we had a worldwide pandemic. Everything stopped. The world had its pause.

I can't help but look back and wonder what I did with myself during the pause. My closets are still cluttered. Home projects remain unfinished. Inboxes are still teeming with messages. Psychologists, social scientists or my fellow greenhorn philosophers surely have opinions as to how we spend our time. Both when we're busy and when we're bored (if ever). It is likely more practical for a union newsletter to examine what we are trading for our time when we are working.

Rather than reinvent any bookish analysis, I only had to search PEA's archives to an article written nine years ago. In early 2013, PEA reminded members of the federal law that has created a lot of confusion for professional employees, especially those in a union. The Fair Labor Standards Act (FLSA) determines how employees are to be compensated for working in excess of 40 hours per week. In essence, that law establishes the minimum of what employees are trading for long work hours. In short, extra work is traded for extra compensation – by law.

The primary error that most American workers make is believing that ALL professional workers are exempt from the FLSA and it's overtime pay requirements. This leads to an overarching cultural belief that professional workers are always salaried rather than hourly workers and, therefore, required to work as many hours as demanded without any extra compensation. Wrong.

Here is the specific guidance from the U.S. Department of Labor that all of our members should understand and follow:

Fact Sheet #17A: Exemption for Executive, Administrative, Professional, Computer & Outside Sales Employees Under the Fair Labor Standards Act

Other Laws & Collective Bargaining Agreements

The FLSA provides minimum standards that may be exceeded, but cannot be waived or reduced. Employers must comply, for example, with any Federal, State or municipal laws, regulations or ordinances establishing a higher minimum wage or lower maximum workweek than those established under the FLSA. Similarly, employers may, on their own initiative or under a collective bargaining agreement, provide a higher wage, shorter workweek, or higher overtime premium than provided under the FLSA. While collective bargaining agreements cannot waive or reduce FLSA protections, nothing in the FLSA or the Part 541 regulation relieves employers from their contractual obligations under such bargaining agreements. (emphasis added).

Remember, the FLSA is a mandatory minimum law that the employer cannot go below. In other words, it is the floor upon which all employment benefits are built. **If you have a union and a collective bargaining agreement, that agreement can build on the law. Both of our PEA bargaining units have done just that. They've built additional benefits on top of the minimum legal requirements.**

PEA members working for the City of St. Paul have largely overcome this misunderstanding due to the City's implementation several years ago of the program called Time Attendance and Scheduling Solution (TASS). The advent of TASS was indeed a solution, because it requires tracking of all time worked by employees, including our professional employees. PEA ensured through negotiations and the growing pains of TASS that it would strictly apply our contract language for hours worked in excess of 40 hour per week. As a result, PEA members are compensated for all extra hours that they trade to their employer beyond the negotiated workday.

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It is usually a one-for-one hourly compensation. If the worker is a grade 11 or below, the compensation is at 1½ hourly rate for every extra hour worked. These “comp hours” are most likely cashed in for paid time off at the usual rate of pay.

Historically, I can tell you that this development made great improvements in work/life balance for our City members. This is especially true in PED and Parks departments that had an entrenched culture, despite contract language to the contrary, that professional workers did not get overtime pay. They do now. And TASS records it so that they can enjoy it. This stems from binding contract language.

For School District PEA members, the same benefit exists. The SPPS does not use TASS, but PEA has the same contractual rights. We’ve negotiated, applied it, protected it and fine-tuned it. Many who read this article will say, “yeah, but my supervisor says....” Then they will rely on the same misinformation that I’ve discussed above. Rather than cite the language and describe the application enforced thus far, I’ll simply invite our school members to read their collective bargaining agreement (CBA). Since TASS or any similar system is unlikely in the near future, it will be up to our school members to decide whether they want to volunteer their extra working hours or get compensated equally with more time for themselves and their family. Don’t wait for TASS... or another pause.

City Negotiations Update

by Patty Lammers, City Negotiations Chair

I would like to introduce you to your city negotiations team.

Patty Lammers, Chair – Police

Brian Balfanz – Police

Liz Carey-Linskey – Parks and Recreations

Kathleen Conger – Libraries

Jean Filipkowski – City Attorney’s Office

Amanda Geske – Libraries

The team has been working very hard on gathering information from members to assist us with preparing for negotiations and understanding members priorities. We developed a member survey where we had 80%-member participation. Results can be seen at: <https://peaonline.org/>. We have also completed a series of department focused listening sessions to gather additional information.

What’s next? We have given our official notice to the city to start the negotiation process. We are waiting to receive notice from the city on scheduling our 1st meeting, but we anticipate it will be in Dec 2022 or January 2023. In the meantime, our team is reviewing the input that we have received and will be meeting to craft our initial request to the city based on the feedback we have received.

If you have any additional feedback you would like to share, please feel free to reach out to any committee member as we work in November to draft our 1st request.

Attention SPPS Members! PEA Position Open: School District Negotiations Committee Chair

There is an important position currently vacant on the PEA Executive Committee: Chair of the Schools Negotiations Committee. Please consider offering your name for this elected post. An ideal candidate would be a schools member with some familiarity with our collective bargaining process, but that experience is not absolutely necessary. We have a lot of experienced people to surround you with. As important, if not more so, this is a spot on PEA’s Executive Committee, which sets the overall direction of our organization and collaborates and consults on all PEA matters. SPPS member voices are really important at the Executive Committee!

If you’re interested, please reach out to PEA President, Joe Musolf.

Expected monthly meeting attendance, and coordination of the negotiations process and committee. Position comes with quarterly stipend and dues waiver.



Saint Paul
PUBLIC SCHOOLS

PEA Calendar of Events 2023

Wednesday, January 13 Board & Stewards Meeting, Joseph's
(stewards, special committee members, & executive board only - see invite below)
Stay tuned – additional meeting dates will be announced soon

Stewards & Executive Committee Meeting & Dinner

Wednesday, January 11, 2023

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 Joe at joe.musolf@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. Reports
 - a. Legal Counsel
 - b. President and/or Vice President
 - c. Treasurer
 - d. Personnel
 - e. City Negotiations
 - f. District Negotiations
3. Adjournment of Combined Meeting

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



Professional Employees Association

CITY OF SAINT PAUL & INDEPENDENT SCHOOL DISTRICT NO. 625

www.peaonline.org

Executive Committee (through remainder of 2022)

President	<i>vacant</i>		
Interim President / Vice President	Joe Musolf <i>joemusolf@ci.stpaul.mn.us</i>	PED – 1400 City Hall Annex, 25 W. 4th St., 55102	651-266-6594
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	Patty Lammers <i>patricia.lammers@ci.stpaul.mn.us</i>	367 Grove St., 55101	651-266-5455

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	Michelle Bergman Aho <i>michelle.bergman-aho@spps.org</i>	1930 Como Ave., 55108	651-744-2226
Member Outreach & Education Coordinator	Tim Buer <i>tim.buer@ci.stpaul.mn.us</i>	1225 Estabrook Dr., 55103	651-487-8271
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)	<i>vacant</i>		
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

Police, Fire, Emergency Management Public Health	Warsame Shirwa <i>warsame.shirwa@ci.stpaul.mn.us</i>	367 Grove St., 55101	651-266-8593
CAO, OFS, DSI	Jean Filipkowski <i>jean.filipkowski@ci.stpaul.mn.us</i>	CAO – 500 City Hall, 15 Kellogg Blvd. W., 55102	651-266-6262
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	JD Miller <i>jd.miller@ci.stpaul.mn.us</i>	1200 City Hall Annex, 25 W. 4th St., 55102	651-266-6730
Parks & Recreation	Mary Henke-Haney <i>mary.henke-haney@ci.stpaul.mn.us</i>	1100 North Hamline Ave., 55108	651-248-6500
Parks & Recreation – Zoo & Conservatory	Anne Ahiers <i>anne.ahiers@ci.stpaul.mn.us</i>	1225 Estabrook Dr., 55103	651-487-8274
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	Kelsey Curran <i>kelsey.curran@spps.org</i>	360 Colborne St., 55102	651-767-8115
School District	Brianna Nyquist <i>brianna.nyquist@spps.org</i>	1930 Como Ave., 55108	651-744-1807
School District	Alexander Corey <i>alexandercorey23@gmail.com</i>	360 Colborne St., 55102	651-744-4387 work cell: 612-409-2869
Water	Sarah Brown <i>sarah.brown@ci.stpaul.mn.us</i>	1900 Rice St., 55113	651-266-1635