

Oregon Board of Education

5721 Seaman Road
Oregon, Ohio 43616
September 9, 2020
Special Meeting

9197

Virtual Meeting

The Board of Education of the Oregon City School District met virtually in a Zoom special session on September 9, 2020 at 3:00 p.m. President Carol Molnar called the meeting to order, led the pledge of allegiance to the flag and called for a moment of silence. Upon roll call the following members were present: Mr. Csehi, Mrs. Molnar, Mrs. Miller, Mr. Kennedy and Mr. Ziviski.

Mrs. Miller made a motion, seconded by Mr. Kennedy to approve the agenda as written.

98/20
Adopt Agenda

Upon roll call all members voted yes. President declared the motion passed.

EXECUTIVE SESSION

Mrs. Miller made a motion, seconded by Mrs. Molnar for the Board to enter into Executive Session for the purpose:
preparing for, conducting or reviewing negotiations or bargaining sessions with employees;

99/20
Executive
Session

Upon roll call the vote was as follows: Mrs. Miller, yes; Mrs. Molnar, yes; Mr. Csehi, yes; Mr. Ziviski, no; Mr. Kennedy, no. Motion passed.

Board entered Executive Session at 4:05 p.m.

Mr. Csehi made a motion, seconded by Mrs. Miller to leave executive session.

Upon roll call all members voted yes. President declared the motion passed.

Executive Session ended at 4:20 p.m.

100/20
Leave
Executive
Session

RESOLUTION RELATED TO INSURANCE AND PREMIUM CONTRIBUTIONS FOR NON-TEACHING EMPLOYEES WHO HAD BEEN SUBJECT TO A RECENT REDUCTION IN FORCE DURING THE COVID-19 PANDEMIC

Mr. Kennedy made a motion, seconded by Mr. Ziviski to approve a resolution related to insurance premium contributions for non-teaching employees who had been subject to a recent reduction in force during the Covid-19 Pandemic.

WHEREAS, the Board has authority to abolish positions and implement a reduction in force ("RIF") of nonteaching employees pursuant to Ohio Revised Code Sections 3319.17 and 3319.172, as well as Article 52 of the collective bargaining agreement ("CBA") entered between the Board and OAPSE/AFSCME Local 4/AFL-CIO and its Local 320 of the Ohio Association of Public School Employees ("OAPSE" or "Association"), due to financial reasons and decreased enrollment of pupils;

WHEREAS, Board Policy GDPA ("Reduction in Classified Staff Workforce") further provides that in addition to financial reasons or decreased enrollment, classified staff may be reduced due to job abolishment, management reorganization, lack of work or in the interest of economy;

WHEREAS, on August 24, 2020, and at the recommendation of the Superintendent, the Board passed Board Resolution 93/20 to implement a partial position abolishment and RIF of certain nonteaching positions to be effective September 1, 2020;

WHEREAS, because the employees who had been subject to the RIF were no longer full-time employees, Article 25 of the CBA requires that they contribute more toward their health insurance premiums; and

101/20
Resolution
Related to
Insurance and
Premium
Contributions

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WHEREAS, even though it is standard to have part-time employees contribute more for health insurance premiums compared to full-time employees, the Board recognizes that maintaining this standard during the COVID-19 pandemic will create a burden on those employees who did not anticipate being subject to a RIF and having their health insurance costs increase as a result.

NOW, THEREFORE, BE IT RESOLVED by the Board that:

Section 1. Due to the ongoing COVID-19 pandemic, the Board desires to alleviate the burden that an increase in employee health insurance premium contribution payments will have on employees who were subject to a reduction in force effective September 1, 2020.

Section 2. For the 2020-2021 school year only, for those non-teaching employees whose health insurance premium contributions increased on account of the RIF that the Board implemented to be effective September 1, 2020, the Board will pay and be responsible for the difference in their employee health insurance premium contributions compared to full-time employees. In other words, the non-teaching employees who were subject to a RIF effective September 1, 2020, will have the same health insurance premium contribution obligations as if they were full-time employees for the 2020-2021 school year only.

Section 3. The Board intends this to be a one-time accommodation to provide more benefits than are owed under the CBA solely on account of the unprecedented circumstances arising from the COVID-19 pandemic. In addition, at no point does this action give any employee any greater benefit than that owed to full-time, non-teaching employees. Furthermore, this action does not prevent the Board from taking any subsequent action that may directly or indirectly impact employee benefits during the 2020-21 school year.

Section 4. The effective date of this action shall be retroactive to September 1, 2020.

Section 5. The Superintendent and Treasurer or their designees are hereby authorized and directed to take any and all additional actions necessary to effectuate the intent of this resolution, including but not limited to paying any difference in insurance premium contributions that are not paid by the employee on behalf of the employee as approved and described above.

Section 6. It is found and determined that all formal actions of the Board concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Board and that all deliberations of this Board and of any of its committees that resulted in such formal action were in meetings open to the public or otherwise in compliance with all legal requirements, including Ohio Revised Code Section 121.22.

Section 7. This Resolution shall take effect and be in force from and after the earliest period allowed by law.

Upon roll call all members voted yes. President declared the motion passed.

**RESOLUTION TO PARTIALLY RECALL AND REINSTATE CERTAIN
 NON-TEACHING EMPLOYEES AND POSITIONS THAT HAD BEEN
 SUBJECT TO A REDUCTION IN FORCE**

Mr. Csehi made a motion, seconded by Mrs. Miller to approve a resolution to partially recall and reinstate certain non-teaching employees and positions that had been subject to a Reduction in Force on August 24, 2020. It is recommended that the employment contracts associated with those positions be reinstated to 80% beginning September 14, 2020.

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WHEREAS, the Board has authority to abolish positions and implement a reduction in force (“RIF”) of nonteaching employees pursuant to Ohio Revised Code Sections 3319.17 and 3319.172, as well as Article 52 of the collective bargaining agreement (“CBA”) entered between the Board and OAPSE/AFSCME Local 4/AFL-CIO and its Local 320 of the Ohio Association of Public School Employees (“OAPSE” or “Association”), due to financial reasons and decreased enrollment of pupils;

WHEREAS, Board Policy GDPA (“Reduction in Classified Staff Workforce”) further provides that in addition to financial reasons or decreased enrollment, classified staff may be reduced due to job abolishment, management reorganization, lack of work or in the interest of economy;

WHEREAS, on August 24, 2020, and at the recommendation of the Superintendent, the Board passed Board Resolution 93/20 to implement a partial position abolishment and RIF of certain nonteaching positions to be effective September 1, 2020;

WHEREAS, the Board acted to implement the RIF for financial reasons, decreased enrollment of pupils, partial job abolishment, management reorganization, lack of work and in the interest of economy;

WHEREAS, pursuant to the RIF, the board partially abolished twenty-two (22) food service worker positions, specifically cafeteria helpers, thirty-eight (38) educational paraprofessionals, thirty-two (32) monitors (including bus monitors, cafeteria monitors, playground monitors, intermediate school monitors and bus shuttle monitors), three (3) librarians and B.A. degree librarians, and thirty-six (36) bus drivers, by reducing the days of these positions from five (5) days to one (1) day per week, and suspended the applicable individual employment contracts accordingly;

WHEREAS, since implementing the RIF, the District’s needs have changed on account of the COVID-19 pandemic;

WHEREAS, due to financial reasons, increased enrollment of pupils, partial job creation, management reorganization, additional work and/or in the interest of economy, the Superintendent has recommended a partial reinstatement of certain positions and recall of certain non-teaching employees, including the partial reinstatement of their applicable employment contracts; and

WHEREAS, the Superintendent has specifically recommended to the Board that it partially recall and reinstate the following positions: nineteen (19) Paraprofessionals, and have the employees holding these positions work for four (4) days per week and have their employment contracts reinstated accordingly.

NOW, THEREFORE, BE IT RESOLVED by the Board that:

Section 1. On the recommendation of the Superintendent, and because such action is in the best interests of the District, the Board — for financial reasons, increased enrollment of pupils, partial job creation, management reorganization, additional work and/or in the interest of economy — hereby determines it is necessary to partially recall and reinstate the following positions: nineteen (19) Paraprofessionals.

Section 2. On the recommendation of the Superintendent, the Board hereby approves an increase in the number of days the employees may work in the aforementioned positions from one (1) day to four (4) days per week, and reinstates the applicable individual employment contracts accordingly.

Section 3. The effective date of the partial recall and reinstatement of the aforementioned positions as well as the resulting increase in days or hours and related reinstatement of employment contracts shall be September 14, 2020.

Section 4. Any recall, bumping or displacement rights and obligations shall be governed by the Agreement, Board policy, and/or applicable law.

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Section 5. The Superintendent and Treasurer or their designees are hereby authorized and directed to provide notice of this action to the appropriate Association official and/or employees and to take any and all additional actions necessary to effectuate the intent of this resolution and implement the partial recall and reinstatement of certain nonteaching positions as set forth above and the reinstatement of the applicable employment contracts accordingly.

Section 6. It is found and determined that all formal actions of the Board concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Board and that all deliberations of this Board and of any of its committees that resulted in such formal action were in meetings open to the public or otherwise in compliance with all legal requirements, including Ohio Revised Code Section 121.22.

Section 7. This Resolution shall take effect and be in force from and after the earliest period allowed by law.

Individuals effected by this 80% call back are:

- | | |
|------------------|---------------------|
| Connie Hatch | Kelley Moore |
| Terri Halka | Michelle Strohscher |
| Valerie Isbell | Brenda McNary |
| Lori Mondragon | Amy Lucas |
| Gretchen Olinger | Jennifer Large |
| Flo Ross | Sue Lindsey |
| Michele Gaskins | Kim Goetz |
| Doreen Cousino | Emily Hepperly |
| Patty Warren | Julie Emmert |
| Denise Young | |

Upon roll call all members voted yes. President declared the motion passed.

Next Regular meeting will be held virtually on September 15, 2020 at 6:00 p.m.

CLOSING

Mrs. Miller made a motion, seconded by Mr. Csehi to adjourn.

Upon roll call members voted as follows: Mrs. Miller, yes; Mr. Csehi, yes; Mr. Ziviski, no; Mr. Kennedy, no; Mrs. Molnar, yes. Meeting adjourned at 4:26p.m.

Attest: Treasurer

President