



California
School
Employees
Association

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Matthew "Shane" Dishman
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Member of the AFL-CIO

The nation's largest
independent classified
employee association



April 27, 2022

Via Electronic
spullum@hartnell.edu

Shawn Pullum, Chapter President
Hartnell Chapter 470
950 Holovits Ct.
Marina, CA 93933-5031

RE: Memorandum of Understanding (MOU) – COVID-19

Dear President Pullum:

I have received the Memorandum of Understanding regarding the COVID-19 between the Hartnell Community College and California School Employees Association and its Hartnell Chapter 470.

It has been reviewed in accordance with Policy 610. I have found no apparent violation of law, CSEA's Constitution and Bylaws, or Policy.

Ratification for this Memorandum of Understanding **is** required. Please provide your Labor Relations Representative Patricia Padilla-Salsberg with the ratification date so that we may update our records.

*Please ensure your chapter complies with the Ratification Meeting requirements as identified in your chapter constitution and Policy 610 Ratification Notice. **Your chapter may choose to ratify in accordance with the January 24, 2022, temporary emergency waiver of Policy 610 (attached). If your chapter is holding in-person meetings, you may conduct the ratification in accordance with the procedures in your chapter constitution.***

I would like to take this opportunity to acknowledge the time and effort spent by you and the Negotiating Committee in negotiations. Your involvement and dedications are truly appreciated.

Please feel free to contact my office if you have any questions or concerns.

Sincerely,

CALIFORNIA SCHOOL EMPLOYEES ASSOCIATION

Debra Cole
Field Director

DC/js

Attachment(s)

c: Ramon Torres, Regional Representative 70; Machel Kessinger, Area C Director;
Patricia Padilla-Salsberg, Labor Relations Representative; Chapter 470 Contract File

(B/D 1/24/2022)

**CALIFORNIA SCHOOL EMPLOYEES ASSOCIATION
Board Policy and Procedures Review Committee**

Date: January 22, 2022

To: Board of Directors

From: Mabelle Kessinger, Chairperson Policy and Procedures Review Committee

Subject: Policy 610 - Contract Ratification During Coronavirus Pandemic

The CSEA Board of Directors temporarily waives Policy 610 and the provisions of a chapter's constitution and bylaws on formal ratification as follows:

1. Distribution of agreement: In lieu of an informational meeting under Policy 610.9.04, the tentative agreement may be distributed by email or text to all bargaining unit members who have provided this contact information at least one day prior to distribution of a ratification notice. A statement shall be included that bargaining unit members are permitted to ask questions or offer debate in favor of approving or denying the tentative agreement at any time until the ratification vote is complete.
2. Ratification: Notice of ratification shall be distributed by email or text to all CSEA members of the bargaining unit. Active CSEA members of the bargaining unit who are in good standing shall be entitled to vote by secret ballot on the ratification or rejection of the agreement. The meeting notice shall include: (1) a statement indicating that the Negotiating Committee recommends ratification of the negotiated agreement; (2) whether the ratification will be conducted via electronic meeting in accordance with paragraph (a) below, or via online poll in accordance with paragraph (b) below; and (3) the information necessary to access the ratification.
 - a. Ratification by electronic meeting: The meeting notice shall be sent to all bargaining unit members no later than five (5) working days before the scheduled meeting.* Voting shall occur during the meeting and results announced prior to close of the meeting.
 - b. Ratification by online poll: Notice shall be sent at least five (5) working days in advance of the date set for online balloting to close.* Voting will occur via online poll or balloting service during such period.

* The Executive Director, or designee, may approve a notice period of less than five (5) working days, upon request of the chapter executive board and the concurrence of the Field Director.
3. No chapter shall enter into a negotiated agreement or take a formal ratification vote, until it has been reviewed by the Labor Relations Representative and the Field Director.
4. Unless specifically set aside by this waiver, the provisions of Policy 610 remain in full force and effect.

Memorandum of Understanding

Between

HARTNELL COMMUNITY COLLEGE DISTRICT

and

California School Employees Association
and its Hartnell Chapter #470

April 14, 2022

The Hartnell Community College District (“the District”) and CSEA and its Chapter #470 (“CSEA”), jointly “Parties,” are committed to providing a safe and healthy campus. This agreement is in response to the COVID-19 to address the impacts and effects of working conditions and shall remain in effect through June 30, 2022. The parties agree to the following:

1. The District will implement SB 114 (2022) supplemental paid sick leave (SPSL) for the period **January 1, 2022 through September 30, 2022** as follows:
 - a. Two pools of leave (timekeeping codes: COVS and COVT) will be provided (40 hours each, 80 total). As per the law, Pool #1 (COVS) does not require proof of a positive COVID-19 test result for a CSEA member or family member. Pool #2 (COVT) requires proof of a positive COVID-19 test result. The pools are mutually exclusive and do not require the exhaustion of one to access the other.
 - b. If sick or vacation leave was used for a covered reason, members are entitled to substitute SB 114 leave for the duration (including retroactively). They may submit an approved COVID-19 SPSL Request Form along with any related documentation previously-approved, and reported on the January 10, 2022 and/or February 10, 2022 timecard to substitute leave previously applied for either COVS or COVT leave; the previously approved and paid sick or vacation leave will be credited to the member.
 - c. For leave used prior to the February 2022 time card, the District will allow a self-attested positive test result for COVT leave substitution. After this date, the member must provide a positive PCR test result (written or photographic) letter from a physician, or test result record from a health care provider; a rapid/antigen/home-test result, letter from a physician, or test result record from a health care provider will be accepted for dependent positive results

- d. If sick leave, vaccination MOU leave, or SB 114 leave is exhausted members will be allowed to substitute vacation leave for situations of extended absences due to medical necessity that is documented by a physician or positive COVID-19 test within 10 days.
 - e. Employees are encouraged to review their paycheck stubs for vacation balances in excess of 200 hours, to possibly pursue application of Article 15, Section 7.
 2. The District will re-establish its Safety Committee and ensure that it meets regularly.
 3. To ensure a safe working environment, the District will:
 - a. Display signage that encourages employees, students, and visitors to wear masks/face coverings indoors, in high traffic areas, waiting rooms, kiosks, and areas where students or others may line up to be served regardless of mandate status.
 - b. Provide reasonable access to Personal Protective Equipment ("PPE") for all employees, students, and visitors on at least one site ("PPE kiosk") per campus, free of charge, including but not limited to: face masks (i.e., N-95 or surgical masks), hand sanitizer, and disinfectant wipes.
 - c. Ensure that each work site/office has an adequate supply of PPE and provide a standard method to request replenishment.
 - d. Ensure that all workspaces have adequate ventilation to safeguard against the spread of COVID-19, including installing MERV-13 or better air filters and maintaining continuous airflow inside all buildings wherever possible.
 - e. Maintain a daily cleaning schedule for all work sites, and reasonable signage to document the most recent cleaning date. Any work site where an employee, student, or community member was known to the District to have a positive case of COVID-19 will be "deep-cleaned" (as per CDC, cleaned and disinfected) as soon as is feasible. CSEA may request that a work site be "cleaned" or "deep cleaned" by writing to Maintenance and Operations, with a copy to HR.
 - f. Comply with local, state and federal mandates on contact tracing.
 4. The District will ensure unvaccinated members with COVID-19 exemptions get tested twice a week. Members will provide proof of testing as determined by the district.

5. The District shall follow the CDPH guidelines on Isolation and Quarantine.

6. The District will provide a free-of-charge COVID-19 test site on the Main campus with priority to Hartnell employees. The District will also provide a free-of-charge COVID-19 test site on the Alisal, Soledad, King City, and Castroville campuses. Members will receive reasonable release time to get tested for COVID-19 during a regular work day with the approval of their supervisor.

7. CSEA will encourage its members to submit the Titan HST application ("Titan app") self-screening form each day before they come to work in person. The District may encourage members to install the Titan app on their personal devices, but this will not be required as a condition of work. If an employee is not working on campus, they are not required to complete the Titan app questionnaire.

For the District:

[Handwritten Signature]

Apr 18, 2022

For CSEA:

[Handwritten Signature]

Shawn Pullum (Apr 18, 2022 13:57 PDT)

Apr 18, 2022

[Handwritten Signature]

[Handwritten Signature]

