



MINNESOTA SCHOOL EMPLOYEES ASSOCIATION

190 E 5th St., Suite 750, St. Paul, MN 55101

Phone: 651-227-3623

Fax: 651-297-6814

800-622-0289

888-447-1737

E-mail: donald@msea-mn.com

www.msea-mn.com

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PARAPROFESSIONAL REDUCTIONS

Know your rights for reductions

Some Rochester Paraprofessionals are being affected by additional budget reductions. Some will be **laid off**, some will be **displaced** from one position to another; and some will be **offered reduced employment** in the position that they had for this year. Negotiations for the new Agreement have been temporarily suspended, and we hope to continue soon. It is important to keep in mind that the contract language from the “old” contract remains in effect.

The **rumors** are always everywhere! Many building administrators are advising employees of reductions that would affect their particular school and specifically the paraprofessional. REMEMBER as of now there has been no release of information as to the specific positions being eliminated or reduced.

Elimination or reduction of **compensatory funds** is the most common word in the rumors. Employees are being told that their position is being reduced or eliminated because their position is funded with compensatory funds. When you are approached with information about your position, PLEASE REMEMBER that your rights as an employee have absolutely no relationship to how your position is funded.

If you are told that your position is being reduced and you have to accept the reduction or take a lay off, you are being misled or misinformed. Your rights to hours and positions are based on seniority. The specific contract language is below:

ARTICLE VI - SENIORITY, LAYOFF, AND RECALL

- 6.1 A. Seniority shall be defined as the first day of continuous employment in the District in the performance of bargaining unit work except for temporary positions following official Board employment action.

For the purposes of rights of layoff and recall seniority classification shall be by position classifications of elementary, secondary, or student support

services paraprofessional as determined by the classification of the paraprofessional's position at the time of layoff.

- B. A seniority list will be updated annually and provided to the association by January 15th. To be eligible for the seniority list the member must have completed their probation. The seniority list will be posted in each building. Any member who disagrees with their placement on the seniority list will have 30 days from the date of posting to initiate a challenge through contact with the Human Resources office.

For the last round of reductions the district has released a memo in order to help clarify these rights. Below, in part, is that memo. The contract language in () is added for your convenience. **Keep in mind that item #5 is not mandated by the Labor Agreement.** However it seems a fair assumption that if you wish to accept a reduced position you would sign the document.

Contract language references in the HR memo:

1. When eliminating a position, a paraprofessional will be displaced and/or laid off based on least senior within the building job group. The job group is defined by the task analysis band and grade classification. (NO bumping across job groups or building staff). **(Article 6.3 A)**
2. Principals notify Lena in Human Resources of the reductions or layoffs.
3. When reducing hours or eliminating a position, Human Resources provides paraprofessional with a 30 day written notice. **(6.3 B)**
4. When the administrator informs a paraprofessional of a reduced hour contract and the paraprofessional decides not to continue in that position, the paraprofessional must provide Human Resources with a written notice of that refusal for that position within 5 days. **(This requirement is NOT in the Labor Agreement)**
5. Displaced and/or laid off paraprofessional goes into the district paraprofessional displaced pool. **(Displacement process is in Article 6.2)**
 - a. Human Resources will recall paraprofessionals from the district list. **(6.4 A)**
 - b. This is the *Human Resource's Office* process for recall:
 - Human Resources will contact the displaced paraprofessionals and notify them of position available to them based on their list of choices. Accepted position will be offered.
 - Human Resources will email Administrators to give notification of displaced para that will be filling the open position.
 - Human Resources will send a letter of assignment to para and the paraprofessional will contact the administrator for details about new position.

- If paraprofessionals did NOT receive a position, Human Resources will inform the paraprofessional that a list of available positions will be provided via email. The paraprofessional is responsible for scheduling an interview directly with the administrator.
 - Human Resources will email administrators to provide a list of open positions and the name of paraprofessionals that will require an informal interview.
 - The final decision will be determined by the recommendation of the administrator to the Director of Human Resources.
- c. If no one accepts an open position, the position will be posted by HR.

It is extremely important that you keep your rights in mind if you are faced with choices concerning your employment. DO NOT SIGN ANY PAPERS indicating your willingness to waive your contract rights and accept a reduction until you know what the alternatives are!

IF YOU HAVE ANY QUESTIONS PLEASE CALL YOUR UNION
REPRESENTATIVE
OR DON GILBERTSON @ 888-447-1737