

Alum Rock Educators Association

4-Series: Standing Rules for Memorandums of Understanding

Rule 4.1 Purpose

1. The purpose of a Memorandum of Understanding (MOU) is to temporarily deviate from specifically identified terms of the Collective Bargaining Agreement currently in effect in order to improve working conditions.
2. An MOU is not intended to negatively impact the rights of any members of the Association.

Rule 4.2 Duration

1. The duration of any Memorandum of Understanding shall be for no more than one (1) school year.

Rule 4.3 Process

1. A proposal for an MOU created by members of the site shall be submitted to the Executive Board no later than January 15 of the prior year for the proposed MOU. The proposal shall include the specific changes to the articles of the Collective Bargaining Agreement and the rationale to support the requested changes.
2. The only exception to the January 15 submission date is for any proposed MOU for the 2016-17 school year must be submitted by April 15, 2016.

Rule 4.4 Site Voting

1. The Elections Committee Chair of the Executive Board will designate a date, time and location that voting will take place on the MOU proposal, and will share that information with the elected Site Rep at the site proposing the MOU.

2. The elected Site Rep at the site proposing the Memorandum of Understanding shall notify all Active members from the site the date, time and location the voting will take place at least five (5) work days prior to the site vote.
3. The elected Site Rep at the site proposing the Memorandum of Understanding shall provide a copy of the proposed MOU to each Active member at the site at least five (5) work days prior to the site vote and to the AREA Executive Board.
4. The Elections Committee Chair of the Executive Board, or his/her designee on the AREA Executive Board, shall be in charge of the voting on the proposed MOU. The voting will be done by secret written ballot.
5. The vote shall include Active members who will be returning to the site. It will NOT include those members on a temporary contract or those itinerant members who are at the site less than 50% of the work week.
6. If an Active member eligible to vote is off site on the day voting takes place, the Elections Committee Chair will make reasonable accommodations for that member to cast his/her ballot. However, it is the member's responsibility to contact the Elections Committee Chair within 24 hours of the voting to make such arrangements.
7. The Executive Board shall consider only those proposals receiving a vote of at least 80% of returning members (not including members on a temporary contract or itinerant members who are at the site less than 50% of the work week).
8. Subsequent to the site vote with at least 80% of the returning members voting in support of the proposed MOU, the AREA Executive Board shall, at the next scheduled meeting, vote on whether to move the proposed MOU forward to negotiations with the District.
9. A vote of the Executive Board of more than half of the legal votes cast shall be considered a majority and shall determine that the proposed MOU will move forward to negotiations with the District.