

PAT CONTRACT EXCEPTION 2019-2020

DEADLINE: Friday, May 17, 2019

Explanation

Article 1.9. of the PAT / PPS Agreement states:

The Association has a process for contract exceptions to allow professional educators at a worksite to apply for an exception to the terms and conditions of the Agreement. Contract exceptions must be submitted to the PAT Advocacy Committee using the process required by the Association. Contract exceptions must be approved by the PAT Advocacy Committee and the District prior to implementation. A contract exception is valid only for the school year for which it was approved.

Rationale: No deviation from the requirements of the contract may occur unless building unit members obtain an approved contract exception. This process protects the rights guaranteed by the PAT/PPS Agreement and preserves the integrity of the bargaining process. **Contract exceptions must be fully approved before new schedules or any other change may be implemented.**

Note: Do not confuse an exception with a “waiver,” which is permission required from the District if there is impact on transportation or instructional minutes. Administrators initiate a waiver separate from this PAT process.

Process:

1. Determine whether the proposed practice or program requires a contract exception.
Most exceptions concern the language in Articles 6, 7, and 8: Workday/Work Year/ Work Load.
2. At a building/site PAT meeting, the PAT Head Representative should:
 - a. Explain the effect of the exception on members’ rights;
 - b. Explain the option(s) for unit members who may not agree to participate in the proposed exception;
 - c. Prepare a secret ballot and conduct an election.
3. Submit the application. **YOUR REQUEST WILL NOT BE GRANTED WITHOUT THIS INFORMATION:**
 - a. Complete the application form – the Head Rep and Site Administrator must sign the form;
 - b. Attach **one** copy of the ballot used;
 - c. Include copies of schedules or calendars that reflect the **current** and **proposed** changes and/or other documentation. (See the attached “Checklist” for contract exceptions to Articles, 6, 7, 8).
4. Send the completed documentation to the PAT Advocacy Committee for approval. PONY or scan and email to jennifer.dixon@oregoned.org

Approval Criteria and Process:

The PAT Advocacy Committee considers the following criteria:

1. Was the required process followed and were **all requested forms and documents submitted?**
2. Is an acceptable option stated on the application for unit members who oppose the exception?
3. Was a ballot given to all unit members at the site? Was one copy submitted with the application?
4. Do at least 75% of all site unit members support the exception?
5. Is additional information needed to consider the request?

If the PAT Advocacy Committee approves the application, it is forwarded to PPS for approval. If approved by both PAT and PPS, the Advocacy Committee will notify the Head Representative and site administrator. If the Advocacy Committee denies the application, it will notify the Head Representative and site administrator, explaining the reason for the denial. **The proposed changes may not be implemented until final approval has been communicated.**

Contract Exceptions

Checklist of Required Information/Supporting Documents

Most contract exceptions involve requests to make changes in the teacher work year (Article 6), workday (Article 7) or workload (Article 8). To permit the PAT Advocacy Committee to fully understand the contract exception(s) you seek, submit the following background information and supporting documents:

All Requests for Exceptions Require:

- A fully completed application form, signed by the Head Rep and Site Administrator.
- A description of the current practice or situation and how that would change if the exception is approved.
- Is this a renewal of a previously approved contract exception?
- Copies of applicable schedules, calendars, and any other documents that explain the requested exception. These may include:
 - current bell schedule for students and the work hours for teachers.
 - special bell schedules, such as late start and assembly days.
 - the proposed schedule(s) or changes under the requested exception.
 - any special schedules proposed as options for unit members who oppose the exception.
- A description of how workload under the change compares to workload under current conditions
- A copy of the ballot used.
- Statement of the option for those members who do not agree to the exception.

Contract exceptions must be fully approved by both PAT and PPS before implementing bell schedules, workday schedules, or any other change that deviates from the PAT Agreement.

Therefore, most contract exceptions must be submitted by the end of the current school year for implementation in the following school year.

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Application

This application is to be completed by the PAT Head Representative and signed by the site administrator. Submit **COPY OF BALLOT, SIGNED APPLICATION FORM, and COPIES OF SCHEDULES/ CALENDARS** to the PAT Advocacy Committee via PONY or scan and e-mail: jennifer.dixon@oregoned.org

School/Site _____ Date _____

1. _____ Renewal of Previous Contract Exception
_____ New Contract Exception

2. State the reason for requesting an exception to the contract.

3. Identify the contract article(s) relevant to the request for exception.

4. Explain how the proposed exception impacts unit members.

5. Explain the options for unit members who oppose the exception.

6. Voting information:

- a. Number of unit members at site: a. _____
b. Number of unit members approving the exception: b. _____
c. Number of unit members opposing the exception: c. _____
d. Number of unit members not voting (count as "no" vote): d. _____
e. **Percentage of unit members approving the exception:** e. _____ %

To arrive at the percentage (e), divide the number approving the exception (b) by the total number of unit members (a).

Head PAT Representative: _____ Site Administrator: _____
Print Name Print Name

Signature Date: _____ Signature Date: _____

Head PAT Rep Contact info: Phone: _____ E-mail: _____

Action by PAT Advocacy Committee: Approved _____ Denied _____ Date _____

Approved by PAT: _____ Title _____ Date _____
Signature

Approved by PPS: _____ Title _____ Date _____
Signature

Portland Association of Teachers
Contract Exception 2019-2020

Unit Member Ballot

Explanation

To protect unit members' rights guaranteed by the PPS/PAT Agreement and to preserve the integrity of the bargaining process, schools/sites must apply for a Contract Exception when they wish to implement a practice or program that deviates from current contract language. A granted exception is in force for one school year. A request for renewal must be made and approved annually.

School/Site: _____ Date(s) of Voting _____

1. State the reason for requesting an exception to the contract.

2. Identify the contract article(s) relevant to the request for exception.

3. Explain how the proposed exception impacts unit members.

4. Explain the options for unit members who oppose the exception.

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_____ **I VOTE IN FAVOR OF THE CONTRACT EXCEPTION**

_____ **I VOTE AGAINST THE CONTRACT EXCEPTION**

Return ballot to PAT REP _____ by _____
PRINT NAME OF PAT HEAD REPRESENTATIVE DATE