



Memorandum

March 29, 2018

To: CFT/AFT Locals

From: Joshua Pechthalt, CFT President *Josh Pechthalt*
Jeffery M. Freitas, CFT Secretary Treasurer *Jeffrey M. Freitas*

Subject: Application for CFT Staff Funding Assistance Program 2018-19

This spring a team of elected leaders from our CFT Executive Council and CFT staff did a substantial review of the CFT Staff Funding program, including discussions at two May 2018 meetings with Formula-Funded staff.

There are no changes to the Constitution & Bylaw requirements of the program this year. However, we are aiming this cycle to better align the program with the existing provisions in the CFT Constitution & Bylaws, especially in light of the urgent need for our affiliates across the state to be well prepared to withstand the threats to fair share agency fee and continue to thrive and win for our members, students and communities.

This cover letter is to help locals to successfully apply for CFT Staff Funding Assistance and to understand the responsibilities and conditions of participation in the program.

Here is a summary of the key program elements that are detailed in the following pages and in the application form itself:

1. Minimize the use of CFT field representatives;
2. Services formula-funded staff are expected to perform;
3. Salary, benefits, and conditions of employment of the professional staff person;
4. Pass-through of AFT and CFT per capita or percentage dues system;
5. Formula-funded staff participation in training and working up to 5 days at the request of the CFT; and
6. Fall meeting to discuss a preparedness plan (*new*).

The following list of items, which are attached, is a must-read by locals to successfully apply for funding.

- CFT Bylaws, Article II, Section 7
- Rules and Regulations for Implementing Article II, Section 7 of the CFT Bylaws
- Checklist of Required Documentation to Accompany the Application
- Official Application (To be signed by local President and Treasurer)

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If your application is received with all attachments by September 1, 2018 and is in compliance with all requirements outlined, it is automatically approved. The 2018-2019 grant is for per capita paid from September 2018 through August 2019 and will be based upon receiving those per capita. If the application for staff funding is received after September 1, 2018, it is subject to the review and approval of the Executive Council at subsequent meetings.

The Secretary Treasurer's office and/or your CFT field representative is available to assist you in putting together your funding application, building a budget, crafting an appropriate employment agreement, and preparing financial statements and other required quarterly reports. Strong, effective locals are crucial to a strong CFT, and we are eager to work with you to achieve that goal in every AFT/CFT jurisdiction.

Please do not hesitate to call if you have any concerns whatsoever.

cc: CFT Executive Council
CFT Field Representative

CALIFORNIA FEDERATION OF TEACHERS
Bylaws Provision for Participation in the Staff Funding Program
Adopted March 2018

ARTICLE II: Finance

Section 7. - Staff Funding Program

- a. The purpose of the CFT Staff Funding Program is to reimburse those locals that have paid for professional staff in order to minimize the use of CFT field representatives for negotiations, grievances, or other locally specific services. All other general CFT services such as training, publications, member database management, research, communications assistance, legal defense grants, governmental relations, etc. are available to all CFT locals.
- b. Upon application to the CFT, on or before September 1 preceding the CFT budget year for which the staff funding program is to commence, any local or council of locals that directly employs and compensates or pays out of local funds for reassigned time for one or more professional staff persons shall receive, after payment of monthly per capita, a payment for staff funding assistance from the CFT equal to the following formula:
 - 1) Unit size 1000 or fewer: Locals and councils of locals with a total unit or units of 1000 or fewer shall receive a staff funding program from the CFT equal to seventy percent (70%) of \$19.70 of the full time equivalency (FTE) of per capita paid to the CFT by the local or council of locals on a monthly basis.
 - 2) Unit size above 1000: Locals and councils of locals with a total unit or units above 1000 shall receive a staff funding program from the CFT equal to sixty percent (60%) of \$19.70 of the FTE of per capita paid to the CFT by the local or council of locals on a monthly basis.
 - 3) All locals and councils of locals that have non-certificated employees in their unit or are a unit of classified employees and that qualify for the CFT Staff Funding Program, shall receive staff funding from the CFT equal to seventy percent (70%) of \$19.70 of the FTE of per capita paid for non-certificated employees of the unit.
- c. Effective upon adoption of this provision, the base on the Staff Funding Program shall be automatically adjusted on September 1 of each year by the percentage increase in per capita as set forth in Section 2 of this article unless the base is adjusted by a different amount by a vote of the convention. Convention action to limit the base of the staff funding program cannot be taken in successive years.
- d. Locals and councils of locals that employ part-time professional staff persons shall receive corresponding percentages of the staff funding formula specified in Article II, Section 7b 1), 2), and 3) of the By-Laws on a monthly basis. The staff funding formula per capita base specified in this section shall not include the CFT Legal Defense Fund or the COPE contributions (Article II, Section 1, d and e, By-Laws).

- e. Locals and councils of locals staff working on employer paid release time shall not be covered by the provisions of Article II, Section 7b, 1), 2), and 3) of the By-Laws.
- f. Conditions of employment of formula-funded staff:
 - 1) Professional staff who are directly employed or for whom reassigned time is purchased by the local would generally be expected to perform some of the following services provided by a CFT Field Representative with some assistance from the field representative as needed including but not limited to:
 - a. Designing and running internal membership drives and agency fee campaigns.
 - b. Designing basic flyers and writing basic campaign literature.
 - c. Designing and conducting contract surveys.
 - d. Writing contract language.
 - e. Negotiating collective bargaining contracts using traditional and non-traditional formats and models.
 - f. Analyzing budgets (with some assistance from the CFT Research Department).
 - g. Filing grievances and unfair labor practice charges, representing members at hearings, with assistance from legal counsel, as necessary.
 - h. Assisting in get-out-the vote and related political activities.
 - i. Assisting locals in compliance with national and state affiliate constitutional obligations.
 - j. Troubleshooting, brainstorming and assisting the local in day-to-day activities.
 - k. Advising the local on grievances, arbitrations, negotiations, budgets and concerted activities.
 - l. Conducting training sessions for the local members.
 - 2) The salary rate of any professional staff person provided for in this section shall not be less than the minimum compensation of the full-time employees he/she represents. The salary rate of any professional staff person representing only part-time employees shall not be less than the minimum compensation of the employees he/she represents. The professional staff person shall receive step increases comparable to and on the same timeline as those employees the staff person represents. Locals shall also provide salary column and step advancement to professional staff persons for job-related experience and training.
 - 3) The contributions of the local toward employee benefits and other conditions of employment for directly employed professional staff persons shall be at least comparable to those of the full-time employees he/she represents. The contributions of the local toward employee benefits and other conditions of employment for any directly employed professional staff person representing only part-time employees shall be at least comparable to the employees he/she represents. When any professional staff person is hired on a less than full-time basis, he/she will receive the pro-rata salary and benefits of the corresponding full-time position.
 - 4) The conditions of employment of the professional staff person shall be put to writing in the form of a mutually agreeable contract. The CFT and CFT locals shall seek to provide formula-funded professional staff a group benefits program that includes medical, dental, vision, long-term disability, and retirement benefits.

- g. The Executive Council may recognize a council of locals consisting of locals from a contiguous geographical area, organized for the convenience of participating in the staff funding program. The establishment of these councils shall not affect the autonomy of each local, and each local may send its own delegates to convention and state councils.
- h. As a condition of funding,
 - 1) a local shall implement the pass-through of AFT and CFT per capita increases or have a dues system based on a percentage of salary and notify the CFT of such implementation or system as part of the annual application process,
 - 2) formula funded staff shall participate in training programs and work up to five (5) days, at the request of the CFT, to assist the CFT, other locals or organizing committees.
- i. The Executive Council shall establish rules and regulations for the implementation of this section.

CALIFORNIA FEDERATION OF TEACHERS
Staff Funding Program -- Rules and Regulations
2018-2019

I. Professional Staff Responsibilities and Conditions of Employment

“Professional staff who are directly employed or for whom reassigned time is purchased by the local would generally be expected to perform some of the following services provided by a CFT Field Representative with some assistance from the field representative as needed including but not limited to:

- a. Designing and running internal membership drives and agency fee campaigns.
- b. Designing basic flyers and writing basic campaign literature.
- c. Designing and conducting contract surveys.
- d. Writing contract language.
- e. Negotiating collective bargaining contracts using traditional and non-traditional formats and models.
- f. Analyzing budgets (with some assistance from the CFT Research Department).
- g. Filing grievances and unfair labor practice charges, representing members at hearings, with assistance from legal counsel, as necessary.
- h. Assisting in get-out-the vote and related political activities.
- i. Assisting locals in compliance with national and state affiliate constitutional obligations.
- j. Troubleshooting, brainstorming and assisting the local in day-to-day activities
- k. Advising the local on grievances, arbitrations, negotiations, budgets and concerted activities.
- l. “Conducting training sessions for the local members.” **CFT Bylaws**

Compensation and employer contributions toward benefits for professional staff who are directly employed by a local (or a council of locals) participating in the CFT Staff Funding Program must be at least comparable to the employees represented by that local and the conditions of employment shall be put to writing in the form of a mutually agreeable contract.

Professional staff are required to participate in the CFT training program and, at the request of the CFT, are obligated to work up to five (5) days to assist the CFT, other locals, and/or organizing committees.

Local members working on employer paid release time and secretarial/clerical employees of the local shall not be covered by the provisions of the CFT Staff Funding Program.

A local or council of locals that terminates, lays off or for any other reason ceases to compensate the local professional staff person during the budget year for which the local or council of locals is receiving CFT staff funding, shall notify the CFT promptly of the last date of employment. The local will cease to be eligible to receive the CFT staff funding the month following the last day of paid service.

II. Application and Approval Process – Required Documents

- A. Each local shall submit the staff formula funding application, including affirming understanding of the responsibilities and conditions of participation, and all supporting documentation to the CFT Secretary Treasurer not later than September 1 preceding the CFT budget year for which staff program is to commence.
- B. The local shall submit with the notification the following information:
 - 1. The proportion of the professional staff person(s) up to one (1) FTE for which the local intends to employ or buy reassigned time.
 - 2. A copy of the **employment agreement** between the local and the professional staff person(s) that specifies the compensation and conditions of employment.
 - 3. If not included in the employment agreement, **a statement from the local president** that outlines the duties and responsibilities of the professional staff person(s).
 - 4. The local's complete **Operating Budget** for the period in which the staff person(s) is to be employed and a current **Statement of Financial Position**. The Operating Budget shall list all anticipated inflows and outflows for the future period and the Statement of Financial Position shall list all assets and all liabilities of the local.
 - 5. *Starting in 2018-19*, the **local union's written plan** that includes member outreach/organizing, maintaining super majority membership, and other Vital Signs of a Strong Local Union.
- C. For purposes of qualifying for staff funding assistance, a local must implement a pass-through of AFT and CFT per capita increases or have a dues system based on a percentage of salary. Documentation of this provision is required demonstrating that the **pass-through of AFT and CFT per capita increases** has been implemented or that the percentage of salary is sufficient to provide for the per capita increases.
- D. A local satisfying all requirements for staff formula funding which submits its application prior to September 1 shall be automatically approved. Approval of staff formula funding for locals that submit their application to the CFT after September 1 shall be subject to approval by the CFT Executive Council.
- E. The CFT Secretary Treasurer shall notify the local or council of locals of the effective date of the commencement of its CFT staff funding program.
- F. The CFT will forward the staff funding to the local or council of locals within 30 days of receipt of local's monthly CFT per capita payment.
- G. Starting this year, a meeting will be held during the fall semester (by December 15) between the local union leadership, formula-funded professional staff, and CFT staff to discuss the local union's plan (using the Vital Signs of a Strong Local Union and the Constitution & Bylaws as a framework), and what additional assistance the local may need from the CFT.

III. Quarterly Reporting Requirements

- A. Each local participating in the staff formula funding program shall submit the following to the CFT within 45 days after the end of each budget quarter:
1. A year to date **Statement of Operating Activities** showing all revenues and expenses of the local.
 2. **For salaried employees:** A copy of the local's state payroll tax form submitted for the quarter. At the end of the year, employee's W-2 forms must be copied and submitted to the CFT or;
 3. **For District release time purchased from the local's treasury:** Copies of both the district's billing to the local and the local's check that pays this bill. The report shall include the percentage of the release time for each person that appears on the school district's billing, or if not available, a separate letter from the district to the local specifying the percentage of release time.

Failure to satisfy any part of the CFT Constitution, and By-Laws, or these Rules and Regulations may result in reduction or elimination of staff funding.

CALIFORNIA FEDERATION OF TEACHERS
Staff Funding Application – Checklist of Required Documents
2018-2019

This check list has been included in order to assist you when completing your application. Please be sure that all of the following required documents are included so that your application can be approved. If you are not returning information that is needed in order to process the application, please use the space below marked “explanation.”

- _____ Statement of duties for staff person(s) signed by the local president.
- _____ Employment agreement(s). (If applicable)
- _____ An Operating Activity Budget detailing anticipated revenues and expenditures.
Please indicate when the budget year begins and ends.
- _____ The most recent Statement of Financial Position (Balance Sheet) listing local assets and liabilities.
- _____ A copy of the local’s entire constitution with “pass through” language or a schedule of anticipated dues amount or percentage for 2018-19
- _____ A completed and signed (by the president and treasurer) application.

Explanation:

Note: For renewal applications, a year to date **Statement of Operating Activities** showing all revenues and expenses of the local and supporting payroll/reassigned time documentation for 2016-2017 must be received through August of 2018.

The final required quarterly report for locals participating in the 2017-2018 CFT Staff Funding Program must be received by November of 2018.

CALIFORNIA FEDERATION OF TEACHERS
Staff Funding Program – Application
2018-2019

NAME OF LOCAL _____ **AFT NUMBER** _____

1. List the name of the professional staff person the local will employ, job title, and the proportion of time up to one (1) FTE for which the person will be employed. ***If your local plans to pay for more than one staff person, please complete a separate application for each individual.***

| | |
|---|----------------|
| Print name of staff person and job title | FTE percentage |
| <i>Contact information for staff person:</i> | |
| Address _____ | |
| Phone _____ | Email _____ |

2. Please attach the employment agreement between the local and professional staff person and ***specify the compensation and conditions of employment. (If applicable)***

| | | |
|----|--|-------|
| a. | Salary per month | _____ |
| | Fringe benefits | _____ |
| b. | Effective date of employment (state "continuing" if there has not been a break in employment) | _____ |
| c. | Total months of employment yearly | _____ |

3. Please attach the local's ***complete 2018-19 budget***, detailing anticipated income and proposed expenditures, and a current ***Statement of Financial Position***. The financial statement needs to indicate the ***budget year*** and list ***all assets*** and ***liabilities*** of the local.

4. Please state the local dues for the years indicated, or attach a local dues schedule for each year. If there are different dues for different units you represent, please attach all dues schedules.

| | <u>Monthly</u> | <u>Yearly</u> |
|---------|----------------|---------------|
| 2017-18 | _____ | _____ |
| 2018-19 | _____ | _____ |

5. Indicate the number of bargaining unit members in the local. _____

6. We acknowledge the following components related to the program as detailed in the packet of materials ***(please initial)***:

_____ Our local union agrees that we will minimize the use of CFT field representatives for negotiations, grievances, or other locally specific services. *(Other general CFT services such as training, publications, member database management, research, communications assistance, legal defense grants, governmental relations, etc. are available).*

_____ We understand that formula-funded staff are generally expected to perform some of the following services including but not limited to:

- a. Designing and running internal membership drives and agency fee campaigns.
- b. Designing basic flyers and writing basic campaign literature.
- c. Designing and conducting contract surveys.
- d. Writing contract language.
- e. Negotiating collective bargaining contracts using traditional and non-traditional formats and models.
- f. Analyzing budgets (with some assistance from the CFT Research Department).
- g. Filing grievances and unfair labor practice charges, representing members at hearings, with assistance from legal counsel, as necessary.
- h. Assisting in get-out-the vote and related political activities.
- i. Assisting locals in compliance with national and state affiliate constitutional obligations.
- j. Troubleshooting, brainstorming and assisting the local in day-to-day activities
- k. Advising the local on grievances, arbitrations, negotiations, budgets and concerted activities.
- l. Conducting training sessions for the local members.

_____ Our local union has read and will follow the salary, benefit, and conditions of employment requirements for directly employed professional staff hired through the program as outlined in the Constitution and Bylaws.

_____ Our local union has read and will follow the dues requirements as outlined in the Constitution and Bylaws.

_____ Our local union will ensure that Formula-Funded staff attend CFT training programs and to participate in campaigns, at the request of the CFT, to assist the CFT, other local unions, or organizing committees. We will encourage our Formula-Funded staff to attend the Formula-Funded Staff meeting each semester. Enclosed is the CFT calendar of meetings, trainings, and other dates.

_____ We will meet during the fall semester (by December 15) with the local union leadership, formula-funded professional staff, and CFT staff to discuss the local union's plan (using the Vital Signs of a Strong Local Union and the Constitution & Bylaws as a framework) and what assistance the local may need from the CFT.

We, the undersigned, do acknowledge receipt and review of copies of the CFT Bylaws and implementing Rules and Regulations detailing the purpose of and conditions for participation in the CFT Staff Funding Program and do hereby apply.

Signature of Local President

Signature of Local Treasurer

Date

Date