



1331 E. Calaveras Blvd. | Milpitas, CA 95035 | 408-635-2600 | [www.musd.org](http://www.musd.org)

Date: May 20, 2020  
Dear Diana Orlando,  
MTA President  
1505 Escuela Parkway  
Milpitas, CA 95035

RE: Milpitas Unified School District Initial Proposal for Successor Contract to Milpitas Teachers Association (MTA)

Dear Diana Orlando:

Article 23 (Completion and Duration of Agreement) of the 2017-2020 Collective Bargaining Agreement (CBA) between the District and the Milpitas Teachers Association (MTA) provides that the term of the CBA is up to and including August 31, 2020. Therefore the entire CBA is open for negotiations over a successor contract. The District's Initial Proposal for submission to the public notice ("sunshining") process is as follows:

**Article 5 Compensation:** The District proposes to maintain, as much as feasible in light of the current economic crisis, fair and equitable total compensation for unit members, including shared responsibility for health and welfare/health benefit costs. The District also proposes to discuss:

- Stipends during Shelter in Place.
- Number of work days for the school year (and consequent impact on salary).
- Add Speech and Language Pathologist to Psychologist's Salary Schedule from Tentative Agreement on November 26, 2019.

**Article 6 Hours:** The District proposes to discuss:

- Prep time.
- Work year/Work Day for the purposes of distance learning.

**Article 7 Transfers:** The District proposes to explore changes in the transfer process, including areas such as posting of vacancies, application requirements, tentative assignments, and selection of transfer applicants.

**Article 8 Class Size:** The District proposes to discuss notification of class size and composition of class sizes with distance learning.

**Article 9 Evaluations:** The District proposes to discuss:

- Incorporation of evaluation-related documents into the CBA as an appendix.
- Flexibility to delay evaluations due to unforeseen circumstances.
- Method of document exchange.

**Article 13 Leaves:** The District proposes to discuss:

- Inconsistencies in sick leave provisions regarding concurrent and consecutive leave periods.
- Thirty nine (39) month reemployment list call back criteria.
- Update California Family Rights Act (CFRA) Child Bonding Leave to conform to new law beginning Jan. 1, 2019.
- Advancement of sick leave.



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- Change extended illness/accident sick leave period from five months to 100 days.
- Add Tentative Agreements from Nov. 26, 2018 and December 4, 2018 regarding child bonding leave.

**Article 14 Safety:** Explore current and preventive safety measures.

**Article 17 Releases from Contract:** increase notification of days to the Association.

**Article 19 Security and Employee Rights:** Update from Nov. 16, 2018 Tentative Agreement based on *Janus*-related legislation

**Article 24 Adult Education Teachers:** Flexibility of work schedules, preparation time.

The State of California has a budget deficit of unforeseen and unprecedented proportions due to the COVID-19 pandemic. This will result in severe cuts to funding for public education, as initially reflected in the Governor's May Budget Revision released on May 14, 2020. The complete economic picture, however, will probably not be known until sometime in August, 2020 due to an extension of income tax filing deadlines through July.

Given this uncertainty, the District reserves the right to open articles in addition to those stated above for negotiations in 2020-2021, in compliance with Government Code section 3547 subdivision (d), as necessary and appropriate to meet the impending fiscal challenges facing the District.

The District remains confident that it will meet these challenges successfully based on its longstanding collaborative relationship with the Association, and looks forward to the continuation of candid, respectful and cooperative negotiations.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jon Brunson", written over a horizontal line.

Jonathon Brunson  
Assistant Superintendent, Human Relations  
Milpitas Unified School District