# PAT CONTRACT EXCEPTION 2017-2018

DEADLINE: Friday, June 2, 2017

## Explanation

**Article 1.H. of the PAT/PPS Contract 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 Article 5: 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 Article 5).
4. Send the completed documentation to the PAT Advocacy Committee for approval. (PONY or FAX: 503.236.5255) or scan and e-mail to kelli.williams@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. Are there acceptable options for unit members who oppose the exception?
3. Was a ballot given to all unit members at the site? Was a copy submitted?
4. Does a minimum of 75% of all site unit members support the exception?
5. Does the exception set a precedent harmful to members at other sites?
6. Is additional information needed to consider the request?

If the PAT Advocacy Committee approves the application, it will be 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.

# Contract Exceptions
# Checklist of Required Information/Supporting Documents

Most contract exceptions involve requests to make changes in the teacher workday (Article 5, Section C). So that the PAT Advocacy Committee may fully understand the contract exception(s) you seek, submit the following background information and/or supporting documents when applying for an exception.

## Teacher Workday (Article 5):

- ☑ A copy of the current bell schedule for students and the work hours for teachers. Include all special bell schedules, such as late start and assembly days.
- ☑ State whether the current schedule was approved for a contract exception.
- ☑ A copy of the proposed schedule(s) or changes under the requested exception.
- ☑ Include an special schedules proposed as options for unit members who oppose the exception.
- ☑ Describe the workload in your building (*e.g.,* within a seven-hour student day, teachers teach five periods, have one planning period and one duty.)

## Other Types of Exceptions:

- ☑ A description of the current practice or situation.
- ☑ A description of how that will change under the proposed exception.
- ☑ Copies of whatever documents illustrate the situation.

## All Requests for Exceptions Require:

- ☑ A fully completed application form, signed by the Head Rep and Site Administrator.
- ☑ Copies of applicable schedules, calendars, and any other documents.
- ☑ All the facts necessary to understand the proposed exception.
- ☑ 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 <u>before</u> implementing bell schedules, workday schedules, or any other change that is contrary to the PAT Agreement.***

# PAT CONTRACT EXCEPTION 2017-18

**DEADLINE: JUNE 2, 2017**

## 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 FAX (503.236.5255).

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 not voting: b._____
   c. Number of unit members approving the exception: c._____
   d. Number of unit members opposing the exception: d._____
   e. Percentage of unit members approving the exception: e._____%

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

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

_____ Date: _____ _____ Date: _____
Signature Signature

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

04.30.17

# Portland Association of Teachers
# Contract Exception 2017-2018

## 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

04.30.17