

CLEVELAND PUBLIC LIBRARY
Minutes of the Special Board Meeting
May 6, 2015
Trustees Room Louis Stokes Wing
12:00 Noon

Present: Ms. Butts, Mr. Seifullah, Ms. Rodriguez,
Mr. Hairston

Absent: Mr. Corrigan, Mr. Parker

Ms. Rodriguez called the Special Board Meeting to order
at 12:08 p.m.

Mr. Hairston moved to adjourn into Executive Session to
discuss pending litigation involving the Library. Ms.
Butts seconded the motion, which passed unanimously by
roll call vote.

The Board adjourned into Executive Session at 12:10 p.m.

Ms. Butts moved to adjourn to the Special Board Meeting.
Mr. Seifullah seconded the motion, which passed
unanimously by roll call vote.

The Regular Board Meeting resumed at 12:37 p.m.

Resolution to Approve Settlement with SEIU 1199

Ms. Rodriguez moved approval of the following
resolution. Mr. Seifullah seconded the motion, which
passed unanimously by roll call vote.

WHEREAS, The Cleveland Public Library (CPL) and the
Service Employees International Union (SEIU), District
1199, are parties to a collective bargaining agreement
(CBA) effective January 1, 2014; and

WHEREAS, The CBA contains a provision requiring CPL to
maintain a list of bargaining unit part-time employees
who want to be considered for extra hours, and to offer
them extra hours before offering hours to substitutes;
and

RESOLUTION TO
APPROVE
SETTLEMENT
WITH SEIU 1199
Approved

WHEREAS, On November 17, 2014, SEIU filed a grievance on behalf of SEIU 1199 part-time members concerning part-time substitute hours, claiming that from September 19, 2014, CPL had failed to offer part-time employees any hours above their scheduled 20 hours and that substitutes had been used in branches where part-time employees were available for up to the additional 8 hours agreed upon in the CBA; and

WHEREAS, On March 20, 2015, SEIU filed a second grievance against CPL concerning part-time substitute hours on behalf of SEIU 1199 part-time members, claiming that CPL had scheduled part-time regular employees for work in excess of the 28 hours agreed upon in the CBA; and

WHEREAS, On April 27, 2015, CPL and SEIU met to mediate The two grievances with the assistance of a representative from the Federal Mediation & Conciliation Service. The parties reached a tentative settlement agreement; and

WHEREAS, The tentative settlement agreement (attached) provides that forty-two (42) part-time regular members on the extra hours list will be paid for a total of sixty (60) hours of missed work, forty-seven (47) hours of which will be paid by June 1, 2015, with the remaining thirteen (13) hours to be paid by January 31, 2016, at each employee's rate of pay as of the date of execution of the settlement agreement; and

WHEREAS, The tentative settlement further provides that any employee on the list who leaves employment with CPL before either payout date shall be paid the remaining balance of the sixty (60) hours owed to that employee in his or her separation check; and

WHEREAS, The respective amounts CPL would pay to resolve the two grievances, including OPERS and Medicare costs, are \$49,650.13 to be paid by June 1, 2015, and \$13,733.01 to be paid by January 31, 2016, for a total payment of \$63,383.15; now therefore be it

RESOLVED, That the Board of Trustees of the Cleveland Public Library hereby approves the settlement

between CPL and SEIU District 1199 on the terms and conditions as described in this Resolution, in a total amount not to exceed \$63,383.13, and authorizes the Executive Director, CEO to execute the settlement agreement on the Board's behalf.

Director Thomas stated that the Mayor's Office has recommended to the Cleveland Municipal School District Board of Education that Alesha Washington be considered for appointment to an unexpired term on the Cleveland Public Library Board of Trustees. If approved at the CMSD Business Meeting on Tuesday, May 12, 2015, Ms. Washington will complete the balance of Mr. Werner's term effective immediately and ending July 2, 2021.

Ms. Washington currently serves as Senior Director of Government Advocacy at Greater Cleveland Partnership and has served as Senior Director of Advocacy, Policy & Research at Neighborhood Progress, Inc.

Director Thomas announced that Mr. Hairston, whose term expires July 2, 2015, will be recommended for reappointment to the Library Board of Trustees at the Cleveland Municipal School District Board of Education Meeting in June.

Ms. Rodriguez adjourned the Special Board Meeting at 12:45 p.m.

Maritza Rodriguez
President

Alan Seifullah
Secretary



Settlement Agreement

CPL/SEIU District 1199

In regard to the grievances concerning Part—Time Sub Hours (11-2014 and 3-2015)
(issue)

filed on behalf of SEIU 1199 Part-time Members on or about Nov. 17, 2014 and March 21, 2015, the Cleveland Public Library denies any liability in the above-referenced grievances.

However, the Cleveland Public Library ("the Library") and SEIU District 1199, the Health Care and Social Service Union, Change to Win Federation, ("the Union"), nonetheless, hereby agree as follows:

1. All PTR members currently employed by CPL who are currently on the Extra Hours list (42—See Attachment) will be paid a total of sixty (60) hours, forty-seven (47) hours paid by June 1, 2015 and thirteen (13) hours paid by January 31, 2016 at her/his rate of pay as of the execution of the agreement. The specific amount to be received by each CPL employee on the Extra Hours List has been calculated by CPL, approved by the Union, and is attached and incorporated into this Settlement Agreement.
2. Any employee on the list that leaves the Library before either payout date shall be paid the remaining balance of the sixty (60) hours owed to that employee in her/his separation check.
3. The March 2015 grievance over extra hours will be considered withdrawn by the Union as of the execution of this agreement.
4. The Union and the Grievant hereby agree that this is a full and final settlement of both of the above-referenced grievances; that the matters shall not be pursued to arbitration; and that there shall be no further claim arising from these grievances under the collective bargaining agreement.
5. The parties to this settlement agree that it shall not be precedent setting and that it shall not be used in any future arbitration, except to enforce the terms of this agreement.
6. This mediated settlement is final and cannot be altered in any way and shall go into effect immediately upon ratification by the Library Board of Trustees which shall occur no later than May 21, 2015.

(Print Name)	(Signature)	Date
Union Representative		

(Print Name)	(Signature)	Date
Grievant		

(Print Name)	(Signature)	Date
Library Representative		

	Total		To pay in 2015		To pay in 2016		
	Hours	2015 Rate	Hours		Hours		
Allen, Bianca	60	\$16.99	\$1,019.35	47	\$798.49	13	\$220.86
Arganza, Jorge	60	\$22.31	\$1,338.78	47	\$1,048.71	13	\$290.07
Bailey, Charles	60	\$23.21	\$1,392.34	47	\$1,090.67	13	\$301.67
Balboa, Paolo	60	\$22.31	\$1,338.78	47	\$1,048.71	13	\$290.07
Barnes, Shila	60	\$23.21	\$1,392.34	47	\$1,090.67	13	\$301.67
Boodan, Liza	60	\$16.34	\$980.14	47	\$767.78	13	\$212.36
Brown, Stacy	60	\$22.31	\$1,338.78	47	\$1,048.71	13	\$290.07
Campbell, Tawana	60	\$22.31	\$1,338.78	47	\$1,048.71	13	\$290.07
Carrillo, Wallace	60	\$14.95	\$897.07	47	\$702.70	13	\$194.36
Crompton, Emily	60	\$22.31	\$1,338.78	47	\$1,048.71	13	\$290.07
Davis, Cynthia	60	\$22.31	\$1,338.77	47	\$1,048.70	13	\$290.07
Dunn-Childress, Cassandra	60	\$22.31	\$1,338.76	47	\$1,048.70	13	\$290.07
Elder, Phillip	60	\$24.13	\$1,448.05	47	\$1,134.31	13	\$313.74
Foster, Prince	60	\$22.31	\$1,338.78	47	\$1,048.71	13	\$290.07
Franklin, Hannah	60	\$22.31	\$1,338.78	47	\$1,048.71	13	\$290.07
Fullmer, Anna	60	\$22.31	\$1,338.78	47	\$1,048.71	13	\$290.07
Gravino, Giovanni	60	\$15.94	\$956.28	47	\$749.08	13	\$207.19
Hay, Zachary	60	\$22.31	\$1,338.77	47	\$1,048.70	13	\$290.07
Hunter, Arlist	60	\$22.31	\$1,338.78	47	\$1,048.71	13	\$290.07
Jefferson, Kiaira	60	\$22.31	\$1,338.78	47	\$1,048.71	13	\$290.07
Johnson, Marcie	60	\$22.31	\$1,338.78	47	\$1,048.71	13	\$290.07
Katzin, Jeffrey	60	\$22.31	\$1,338.77	47	\$1,048.71	13	\$290.07
Kolonick, Sarah	60	\$22.31	\$1,338.78	47	\$1,048.71	13	\$290.07
Lefkowitz, Joel	60	\$22.31	\$1,338.78	47	\$1,048.71	13	\$290.07
Lewis, Issiah	60	\$26.10	\$1,566.18	47	\$1,226.84	13	\$339.34
Lytte, Alea	60	\$22.31	\$1,338.78	47	\$1,048.71	13	\$290.07
Mann, B	60	\$22.31	\$1,338.78	47	\$1,048.71	13	\$290.07
Messenger, Corina	60	\$22.31	\$1,338.78	47	\$1,048.71	13	\$290.07
Moncayo, Jennifer	60	\$22.31	\$1,338.78	47	\$1,048.71	13	\$290.07
Myhand, Terrence	60	\$15.97	\$957.97	47	\$750.41	13	\$207.56
Palma, Lindsay	60	\$17.67	\$1,060.12	47	\$830.42	13	\$229.69
Petrucz, William	60	\$22.31	\$1,338.77	47	\$1,048.71	13	\$290.07
Piepenburg, Carlos	60	\$22.31	\$1,338.78	47	\$1,048.71	13	\$290.07
Reddick, Ashley	60	\$22.31	\$1,338.78	47	\$1,048.71	13	\$290.07
Render, Robert	60	\$24.13	\$1,448.03	47	\$1,134.29	13	\$313.74
Rivera, Joanna	60	\$22.31	\$1,338.78	47	\$1,048.71	13	\$290.07
Sanchez, Lisa	60	\$22.31	\$1,338.78	47	\$1,048.71	13	\$290.07
Smith, Justin	60	\$23.21	\$1,392.34	47	\$1,090.67	13	\$301.67
Story, Alexander	60	\$22.31	\$1,338.78	47	\$1,048.71	13	\$290.07
Williams, Antonio	60	\$22.31	\$1,338.78	47	\$1,048.71	13	\$290.07
Williams, Maxine	60	\$22.31	\$1,338.78	47	\$1,048.71	13	\$290.07
Williams-Riseng, Denise	60	\$26.10	\$1,566.18	47	\$1,226.84	13	\$339.34
			\$54,900.95		\$43,005.74		\$11,895.21
Opers			7686.13		6020.8		1665.33
Medicare			796.06		623.58		172.48
Grand total			63383.15		49650.13		13733.01