MEMORANDUM OF UNDERSTANDING
BETWEEN
SAN JOAQUIN DELTA COLLEGE
AND
CALIFORNIA SCHOOL EMPLOYEES' ASSOCIATION, CHAPTER 359

Permanent Intermittent Positions – Assignment Tracking and Notification Procedure

WHEREAS, the California School Employees’ Association, Chapter 359 (“CSEA”) is the exclusively recognized employee organization within the San Joaquin Delta College District (“District”) for all employees in the classified service, excluding supervisory, management, confidential, student workers, substitute, short-term; and

WHEREAS, the District and CSEA entered into a Master Contract (“Contract”) that governs the parties’ understanding of the terms and conditions of employment for employees represented by CSEA for the period ending June 30, 2013; and

WHEREAS, Article 7.19 of the Contract establishes permanent intermittent positions for the purpose of having regular classified staff available who are not guaranteed any set number of hours, are not assigned a regular schedule, and who may work on an on-call basis; and

WHEREAS, the District and CSEA, having met and conferred in good faith, agree to establish a procedure to ensure permanent intermittent employees are staffed and work in a manner consistent with article 7.19, including permanent intermittent employees’ availability to work;

NOW, THEREFORE, the District and CSEA do agree to the following process:

1. Managers and/or designees responsible to contact permanent intermittent employees regarding available work will keep a log of employee contacts. The log will note the date of the contact, date of available work, and initials of the person calling/emailing/texting (i.e. 9/26/2011, left phone message to work 9/30/2011, by nk) and employee’s response. See attached Permanent Intermittent Employee Tracking form, Attachment A.

2. After three attempts are made and the employee either 1) refuses work three (3) times or 2) does not respond three (3) times, Human Resources will send Letter #1 (Attachment B) to the employee by certified mail. Letter #1 gives the employee notice that they must contact Human Resources to remain employed. If the employee does not respond to Letter #1 within 15 days, Human Resources will send Letter #2 (Attachment C) to the employee by certified mail and the employee will be terminated. Letter #2 gives notice to the employee of the date they will be terminated.

3. If the employee responds to the Letter #1, they will be allowed three (3) more refusals or unanswered contacts before Human Resources will send Letter #2 to the employee by certified mail.
4. If the employee responds to Letter #2 before their termination date, they will be allowed three more refusals or unanswered contacts before Human Resources will send Letter #2 to them again by certified mail and they will be terminated.

IN WITNESS WHEREOF, the parties hereto have executed this Letter of Understanding effective this 12th day of October, 2011. The provisions herein will become effective January 1, 2012 upon ratification by CSEA and approval by the District's Board of Trustees.

Dated: Oct 12, 2011
By: Dianna R. Gonzales
Dianna R. Gonzales
Director of Human Resources
and its San Joaquin Delta College

Dated: Oct 12, 2011
By: Dana Baker
Dana Baker, Chapter President
California School Employees Association
Delta College Chapter 359
RE: Employment Status- (Job title), Permanent Intermittent

Dear (name)

On (date) the attached letter (letter #1) was sent to you regarding your employment status with San Joaquin Delta College. As of today's date, you have not responded and we must conclude that you are not available to work and that you have abandoned your job.

Your employment with San Joaquin Delta College will be terminated on (date).

If you have any questions or wish to continue your employment with San Joaquin Delta College, please call Jan Williams, Human Resources Analyst at (209) 954-5048 or email janwilliams@deltacollege.edu before the termination date listed above.

Sincerely,

Dianna R. Gonzales
Director of Human Resources

CC: Personnel File
 (Manager)
(date)

(name and address)

RE: Employment Status- (Job title), Permanent Intermittent

Dear (name)

The manager or his/her designee of your department attempted to contact you on (dates) and you have either refused work or not responded.

If you wish to continue your employment with San Joaquin Delta College, please call Jan Williams, Human Resources Analyst at (209) 954-5048 or email janwilliams@deltacollege.edu within fifteen (15) days of the date of this letter.

Sincerely,

Dianna R. Gonzales
Director of Human Resources

CC: Personnel File
(Manager)
Permanent Intermittent Employee Tracking Form

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*Instructions:* Use this form to log all contacts and phone calls. Contact Human Resources, if an employee does not respond or refuses more than three times.
Permanent Intermittent Employees

Assignment Offer Tracking and Notification Procedure

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9/26/2011