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April 6, 2018

Dan Ortiz
Labor Relations Representative
California School Employees Association
6341 Nancy Ridge Drive
San Diego, CA 92121

Re: Response to Information Request

Dear Dan:

On March 29, 2018, CSEA requested the Alpine Union School District to provide information related to twenty questions within ten business days. The following day, we responded that we would gather and provide as much information as we could over the break. We also noted that some of the information requested was already available to CSEA, and we requested clarification regarding Question #1. Aside from what we stated in our March 30th letter, please consider this the District's initial response to CSEA's information requests.

As an initial matter, the District is aware of its obligation under the Educational Employment Relations Act to provide CSEA with information that is necessary and relevant to represent its members. CSEA has the burden of demonstrating the requested information is, in fact, relevant to its representational responsibilities, such as contract negotiations or administration. (*Regents of Univ. of Cal.* (2010) PERB Dec. No. 2101-H.) The District also recognizes that "information pertaining immediately to mandatory subjects of bargaining is so intrinsic to the core of the employer-employee relationship that it is considered presumptively relevant." (*Stockton Unified School District* (1980) PERB Dec. No. 143.)

With this in mind, below please find our responses to Questions #1-20:

1. As stated in our March 30th letter, this request is vague with regard to the meaning and scope of "relevant information." We are again asking for clarification to

assist us in responding to this request.

2. At this time, it is not clear why communications between the District and GUHSD are necessary and relevant to CSEA's representational duties, and in particular, CSEA's demand to bargain changes to its members' working conditions. Please provide clarification to assist us in responding to this request.
3. Enclosed please find a cost-benefit analysis of the differences in transportation services.
4. The daily rate for leasing a bus from GUHSD is included in the Agreement. The annual cost is \$15,000. There are 180 school days, so the daily rate is \$83.33/day.
5. The cost of fuel for buses used for home to school transportation is included in the total cost of the Agreement. Gasoline prices change daily, thus GUHSD estimated the cost of fuel per the expected annual mileage driven and incorporated the estimate in the Agreement. If other District vehicles, such as maintenance trucks, use GUHSD fuel, then GUHSD will charge the District per the terms of the Agreement.
6. As noted in our March 30th letter, Ms. Nerat is authorized to enter into contracts pursuant to Board Policy 3312, which is available on the District's website.
7. The District did not request bidding on this agreement. The District will address this inquiry in a separate response.
8. Although the District has not yet moved forward with anticipated layoffs of three bus driver positions, if it were to go forward with the layoff as anticipated, the District would realize an annual savings of \$112,110. As stated in our March 30th letter, these anticipated layoffs are unrelated to the Agreement, and no GUHSD employee will perform services previously performed by a laid-off District bus driver.
9. This request is vague as to the meaning of "review process." Please provide clarification to assist us in responding to this request.

As you are also aware, the most recent Transportation Supervisor, Terry Lassaline, recently resigned. The current District administration has not been employed with the District for the previous 10 years. Therefore some of the requested information is not available to the District and/or is unduly burdensome to locate. If CSEA is willing to narrow down the timeframe of this information request, please let us know, as that would further assist us in responding.

With that said, in the 2017-18 school year, bus drivers communicated to management that there has not been a formal review process in place. Therefore, the District enlisted the assistance of an independent transportation consultant who met with bus drivers and management to gather information and begin a review. The District also began working with GUHSD to review and analyze existing routes, and then to develop more efficient routes for the upcoming school year.

10. As you are aware, the District closed its terminal on March 25, 2018, due to longstanding issues that led to the Conditional Terminal rating issued by the California Highway Patrol (CHP) Motor Carrier Inspector Unit. Per CHP guidelines, if a terminal receives a Conditional Terminal rating, it must be re-inspected within 180 days. Because the CHP issued a Conditional Terminal rating on September 26, 2018, the CHP was required to re-inspect the terminal by March 25, 2018.

As we explained in our March 30th letter and in previous conversations with CSEA, the decision to close the terminal was based on information and belief that the District would not pass the 180-day inspection by March 25. If 20% of vehicles in the fleet are placed out of service during the inspection, then the terminal will receive an unsatisfactory rating. For the District, that means only one of our remaining four vehicles would need to be out of service to receive the unsatisfactory rating. Given the fact that two of four of the buses remaining in the fleet are at least eighteen years old and have had already had issues placing them out of service, the District determined that the likelihood that one of them would not pass inspection was significant.

Enclosed please find Safety Compliance Reports / Terminal Records Updates, issued by the CHP to the District. If you have further questions regarding the District's decision to close the terminal, please let us know.

11. See response to Question #10, above.

12. See response to Question #10, above.

13. See response to Question #10, above.

14. See response to Question #10, above.

As demonstrated in the enclosed documents, one of CHP's largest inspection concerns has been the District's fleet maintenance and condition. To address this concern, the District changed mobile mechanic service providers in November 2017, to ensure needed quality repairs were being made on the buses. Additionally, the District began using GUHSD mechanic services so that the District had a "second opinion" on vehicle condition and repair recommendations as the fleet began rapidly deteriorating during the school year. The District also had GUHSD perform the 45-day inspections and a contracted mobile mechanic perform the repairs. Despite these and other efforts to correct vehicle deficiencies, many of the buses reached a point where the cost of repairs could no longer outweigh the benefits in such expenditures, given that the buses reached the end of their useful life. Thus, unfortunately, the District had to permanently take eight out of its twelve buses permanently out of service since April 2017, resulting in a loss of 75% of its bus fleet.

15. The District would need to apply with CHP to have the certificate activated, which would require an inspection. As described above and previously to CSEA, we are of information and belief at this time that the terminal will not pass inspection.

16. See responses to Questions #10 and 14, above.

The District cannot speculate on which of its four remaining vehicles will pass inspection, as it is not the authority that makes that decision. Any vehicle could, at any time, have an issue that CHP deems sufficient to place it out of service. As also previously described, at least two of the remaining buses are old and have been plagued with mechanical issues, which contributed to our determination that the terminal was unlikely to pass inspection on March 25.

17. The District needs at least four large capacity buses and one spare in order to operate its current routes. In the past, when we operated with seven routes, the District would have needed six large capacity buses and at least one spare, as well as one smaller capacity bus.

18. As explained in our March 30th letter, this information was provided to the public and is therefore already available to CSEA. In addition to the information already provided and publicly available on this matter, enclosed please find an email to all District staff, sent at 7:42 pm on March 20, regarding the March 22nd special meeting, including that the agenda was available on the District's website and through the link provided.

19. See response to Question #18, above.

20. The District will address this inquiry in a separate response.

We hope this initial response will assist CSEA for our scheduled negotiations on April 12, 2018. If CSEA is able to provide clarification on the requests noted above, we will respond to those as soon as possible. As also noted above, we will separately address the issues raised in your Questions #7 and #20, prior to our April 12th negotiations. If, after reading these responses and enclosures, you have any questions or concerns, or if we have misinterpreted any of your requests, please do not hesitate to contact me.

Sincerely,

Rich Newman
Superintendent

Encl: As noted.