



Colleagues,

In the last week, OPS has surprised its employees with two major announcements. Below is information for you regarding the district's decisions and OEA's research and action thus far regarding those decisions.

OPS COVID Testing Mandate

OPS released its COVID testing mandate on Tuesday, September 15, 2020. OEA immediately contacted the NSEA Advocacy team and attorneys to determine the legal implications of mandatory testing of employees by the district.

After review, our legal counsel found that mandatory COVID testing of employees is allowed under the current U.S. Equal Employment Opportunity Commission (EEOC) guidance updated Sept. 8, 2020. The school district has the right to test but must follow guidelines established by the Center for Disease Control (CDC). Certain disabilities, medical conditions or religious exceptions may be considered as appropriate exemptions from such COVID testing.

Exemptions will be addressed on a case-by-case basis by the OPS Human Resources Department. Employees should contact HR with your questions regarding exemptions; if acceptable solutions are not offered, please contact the OEA. OEA will continue to work with legal counsel to ensure OPS is following our expectations to maintain confidentiality and protect our members' privacy during mandatory COVID testing.

Return to School

On Wednesday, September 16, OPS announced its plan for returning to school in a phased-in, family 3/2 model. The OPS-OEA Master Agreement requires the district to collaborate with the Association; developing a return to in person learning would have been a perfect opportunity for labor management collaboration. What better way to meet the needs of our students than open planning and dialogue with the educators who will be expected to carry out the plan?

Despite the OEA's repeated requests to OPS administration to adhere to the Agreement and collaboratively plan to meet the needs of our students, OPS continues to only inform OEA after decisions have been made. Rather than consider alternate points of view to improve outcomes, OPS is mandating

plans determined in an administrative bubble. While they continue to expect teachers to collaborate with colleagues and families, they refuse to uphold their own commitment to collaboration as they pledged in our Master Agreement.

Decisions made in this type of vacuum will suffer an implementation gap that will be borne by students, their families and our members. The current situation our country finds itself in is only made more difficult by autocratic decision making determined without experts – in this case our educators – at the decision-making table.

The OEA is consulting with legal counsel to determine what additional actions can and must be taken to bring educator voice to the table.

One key action we all can take is to register to vote and make sure that we are electing representatives who will support educators and uphold the Master Agreement signed by OPS.

We appreciate the tremendous work being done by our members to meet the needs of students and families across our community. We want you to know that your OEA leadership team will continue to work just as diligently on your behalf.

Robert
OEA President
