

NEW Contract Waiver

Type of Waiver _____

Site _____

DEFINITION OF A CONTRACT WAIVER

A contract waiver is a minor change of contract language which covers only part of the total group of unit members affected by the existing language. The remaining unit members continue to be covered by the existing language.

A waiver shall only stay in effect if it is renewed by the HEA Board by the end of each school year.

Waivers are distinct from collective bargaining; waiver requests shall not be used to circumvent negotiations on current contract language.

SCHOOL PROCESS FOR CONTRACT WAIVER

The proposal for waiver can be initiated by teachers or administrators.

Step 1

Interested parties present a written request to HEA and involved staff at least 5 working days prior to a site meeting for discussion of this proposal. This must contain a description of project, area(s) of contract they wish to be waived and reasons they need the waiver. A form is available from HEA.

Step 2

There shall be a meeting during the regular working day as defined by the contract with staff who are directly involved and a designated Association representative not on the staff will be present.

- A. Present proposal
- B. HEA rep discusses contract ramifications and answers questions
- C. A full open discussion occurs that can by consensus carry over to another day.

Step 3

HEA will conduct a secret ballot election. The election shall be held Tuesday through Friday of the designated week. All unit members affected shall be able to vote.

If the proposal passes with a minimum of 2/3 of the votes cast, the waiver request may be submitted to HEA.

Step 4

It is recommended that any concerns be reported to the HEA Board within 5 working days of the election.

HEA Form #1

INITIAL REQUEST FOR HEA INPUT ON CONTRACT WAIVER

Date _____

Site or group: _____

Proposed contract waiver: _____

Rationale: _____

Meetings for staff discussion

1. Date/time for informational meeting _____

All meetings will be scheduled during the workday or during a regularly scheduled staff meeting.

This request must be received at least 5 days before the first scheduled meeting.

Signed _____
Principal or administrator

Signed _____
HEA FRA rep

***** HEA Use Only *****

Site: _____

Your designated HEA representative will be _____

HEA Form #2

REQUEST FOR CONTRACT WAIVER

Date sent: _____

___ New

___ Annual renewal

Check list (for renewals HEA rep will attend meeting(s)/conduct the election only upon request of any site unit member)

- HEA designated rep attends site meeting to discuss waiver
- HEA designated rep sets date for secret ballot election
- Secret ballot by unit members conducted by HEA
- % of vote certified by HEA and reported to site administrator and FRA rep. _____% (must be at least 67%)

Proposed Contract Waiver:

Description of waiver request, including specific language to be waived

Proposed implementation/renewal date _____

Rationale for proposed change/renewal _____

Staff concerns about change/renewal

HEA Form #2 (Continued)

List categories of unit members impacted by change/renewal _____

List any changes of duties for specific unit members _____

For renewal only: Does renewal deviate from original request? If so, explain.

*****HEA Use Only*****

Date considered by HEA Board of Directors: _____

___ approved ___ not approved

Reason for non-approval: _____

Annual renewal requests must be submitted by May 1 of the school year, after a secret ballot election has been held.

PLEASE INCLUDE A SITE BELL SCHEDULE HERE