



May 22, 2019

Superintendent Jorge Aguilar  
Sacramento City Unified School District  
5735 47th Avenue  
Sacramento CA 95824

**Re: Your Letter Regarding Meeting with CECHR**

Dear Mr. Aguilar:

This letter is written in response to your letter of May 21, 2019, regarding meeting with the California Education Coalition for Healthcare Reform (CECHR), Friday, May 23, 2019. Upon receipt of your letter, we reached out to CECHR who informed us: "CECHR has been invited into this group's [the other unions] regular Health Benefits meeting to present information that relates specifically to this group, as unlike SCTA they are not able to move into CalPERs until January 1 or 2020. CECHR **has no new data with regard to the SCTA unit and nobody from the district has said anything to CECHR about including SCTA in this meeting,**" (emphasis added, see attached email from Janet Walden).

Accordingly, it is hard to conclude that your letter is anything other than an unlawful publicity stunt rather than an earnest effort to implement our agreement that obligates the District to use health plan savings to lower class sizes and improve services to students.

Additionally -- according to the provisions of Article 13.1.1--we believe the District has already saved approximately \$5 million on health care costs due to our engagement with CECHR and believe the new, lower HealthNet rates will generate additional resources to be used to improve services to students by virtue of Article 13.1.1.

We remain committed to working with the District and CECHR to ensure that taxpayer dollars are spent on students, rather than for-profit HealthNet, consistent with the terms of Article 13.1.1. Your letter codifies, once again, your refusal to honor the contract and your decision to give millions to an insurance company rather than spend it on students.

As you know the California Public Employment Relations Board (PERB) has issued a complaint against the District in which it has determined that SCTA substantiated a prima facie case of the District's unlawful conduct in relation to health plan changes, among other matters. PERB has scheduled an informal settlement conference for June 26, at which time we hope that the District will avoid the need for further litigation and reaffirm its obligation to honor the contract and follow the law.

If the District wants to resolve that matter sooner, of course, SCTA would be happy to meet. Please have the appropriate District representative contact us to schedule such a meeting.

Finally, your letter appears to indicate that the District may be contemplating moving forward with yet another unlawful action related to health plan offerings. Neither the District, nor Keenan has informed us, let alone bargained with us, regarding an allegedly new health plan product that may be offered to SCTA-represented employees through HealthNet called SmartCare. Health plan options are a mandatory subject of bargaining, and it is our demand to bargain over any and all changes to any health plans offered to SCTA-represented employees, including which carriers and plans can be offered. This is also consistent with Article 13.1.1. of the collective bargaining agreement.

As you well know, the District never notified SCTA of, or offered to bargain with SCTA over, the District's decision to offer the "SmartCare" plan, and SCTA has not in fact bargained over or otherwise agreed to this change to the collectively-bargained health plans. Indeed, your letter of May 21, 2019 was the first notice that SCTA has received about the District's decision to offer this additional plan. We hereby demand that the District rescind this unilateral change. The District's failure to do so will leave SCTA no option but to file yet another unfair practice charge against the District and take any and all other steps necessary to protect the statutory rights of SCTA and its unit employees and protest the District's unlawful misconduct.

On a related note, SCTA hereby demands, pursuant to the Educational Employment Relations Act, Government Code section 3540 et seq., that the District furnish the following information, all necessary and relevant to its discharge of duties as exclusive representative:

1. A complete description of the "SmartCare" plan, including but not limited to employee deductibles, total cost to the District, and extent of coverage;
2. Any and all written documents, in hard copy or digital format, describing the "SmartCare" plan in the possession, custody, or control of the District and/or its agents;
3. Any and all correspondence, in hard copy or digital format, by or between any District administrator regarding the "SmartCare" plan and/or the decision to offer this plan, including but not limited to correspondence between any District administrator(s) or agent(s) and Keenan and/or HealthNet regarding the same; and
4. The date and complete description of the circumstances surrounding the decision to offer the "SmartCare" plan to SCTA unit employees.

Please provide the requested information not later than the close of business on Friday, May 31, 2019.

Sincerely,



David Fisher  
President



Nikki Milevsky  
First Vice-President



John Borsos  
Executive Director

## **Borsos, John**

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**From:** Janet Walden  
**Sent:** Tuesday, May 21, 2019 4:32 PM  
**To:** Borsos, John  
**Subject:** In response to your inquiry

Hello John, in response to your inquiry, the meeting that CECHCR has scheduled with all the non-SCTA unions and the district on May 24 is for the purpose of sharing new information and actuarial comparisons for this group based on the CalPERS 2020 preliminary rates that were issued last week. We will also be comparing the previously-shared CVT rates and utilizing new trend numbers to estimate the rate changes for 2020 of their existing plans.

CECHCR has been invited into this group's regular Health Benefits meeting to present information that relates specifically to this group, as unlike SCTA they are not able to move into CalPERS until January 1 of 2020. CECHCR has no new data and comparisons at this time to present with regard to the SCTA unit, and nobody from the district has said anything to CECHCR about including SCTA in this meeting. Best regards, Janet

Janet Walden, President & CEO  
Center for Collaborative Solutions (CCS)