

Memorandum of Understanding
between the
OAPSE and Its Local #370
and
Galion City School District Board of Education

This Memorandum of Understanding (“MOU”) is entered into by and between OAPSE and Its Local #370 (“OAPSE”) and the Galion City School District Board of Education (“Board”) for the purpose of documenting the parties’ agreement to discontinue any and all practices with respect to the employment of OAPSE employees for supplemental contract positions in the District starting with the 2017-2018 contract year, except for the noted exception of Head Golf Coach, which is addressed by way of separate Memorandum of Understanding between the Galion Education Association (“GEA”), OAPSE, and the Board, dated May 31st, 2017.

WHEREAS, nothing in the current Collective Bargaining Agreement (“Agreement”) between OAPSE and the Board provides for the employment of OAPSE employees for supplemental contract positions with the District; and

WHEREAS, the parties hereto acknowledge and agree that a practice may have been established in the past between the parties that allowed OAPSE employees to be employed by the Board for supplemental contract positions; and

WHEREAS, the terms and conditions of employment of individuals for supplemental contracts in the District is governed by the terms and conditions of the negotiated Agreement between the GEA and the Board (“GEA Agreement”), as well as the provisions of Ohio Revised Code Section 3313.53; and

WHEREAS, the United States Department of Labor (“DOL”) has issued opinions directly applicable to the issue of public schools employing non-exempt

(also known as support staff/classified staff) employees under supplemental contracts, with such opinions indicating the application of the Fair Labor Standards Act's ("FLSA's") overtime and minimum wage requirements to those types of employment situations; and

WHEREAS, the parties mutually desire to comply with the terms and conditions of the GEA Agreement, Ohio Revised Code Section 3313.53, and the FLSA with respect to the employment of individuals for supplemental contracts in the District;

NOW, THEREFORE, THE PARTIES AGREE TO THE FOLLOWING:

1. Starting with the 2017-2018 contract year, OAPSE employees will not be permitted to be employed for supplemental contract positions with the District;
2. Any and all practices between the parties, past or otherwise, that existed with respect to the employment of OAPSE employees for supplemental contract positions with the District are hereby discontinued and shall cease to have any further force and effect upon the execution of this MOU;
3. In accordance with opinions of the DOL, Administrative Guideline 6700, Fair Labor Standards Act, of the Galion City School District, applicable provisions of the GEA Agreement and Ohio Revised Code Section 3313.53, OAPSE employees may be considered only as volunteers for supplemental contracts with the District starting with the 2017-2018 contract year;

4. This Memorandum of Understanding is effective upon execution.

IN WITNESS WHEREOF this Memorandum of Understanding is entered into voluntarily by its parties on this the 31st day of May, 2017. This shall be the effective date of this Memorandum of Understanding, and this Memorandum of Understanding shall be effective on this date.

GALION CITY SCHOOL DISTRICT
BOARD OF EDUCATION

OAPSE AND ITS LOCAL #370
