

**Memorandum of Understanding
Between the Berkeley Unified School District
and the Berkeley Council of Classified Employees**

Out of Class Differential Due to Toileting in Preschool Classes

Given the temporary need to complete tasks that previously did not appear in the Instructional Assistant—ECE job description and the impact of Universal PK lowering the age of eligible students, individual classified staff have been asked to work out of class from August 2024 to June 2025.

This is voluntary for current staff. All current staff in Instructional Assistant ECE positions at Hopkins and Franklin Preschool Programs will be asked to do toileting. Those who agree in writing to diaper and toilet students will be compensated with a 13% differential on their salary. Payment will be an annual stipend spread out monthly. No timesheets will be required. Employees who agree must submit their agreement in writing within 10 working days of the Union's signature on this document. All new hires and substitutes will be required to toilet students and will receive the differential.

All safety PPE shall be provided by BUSD such as disposable gloves, masks, face shields, and aprons.

Proper tools shall be provided by BUSD such as an adjustable diapering table or similar, wipes, Pull-ups or similar, sanitary changing pads/mats, hand sanitizer and hand washing supplies, and proper waste containers for all disposable items.

BUSD shall provide proper training to all staff who agree. Training will include best practices, proper techniques for cleaning, disposal of materials, and safety of students. Training will comply with current laws and regulations concerning toileting.

For individual classified staff that have been performing toileting duties beginning August 1, 2024 and have not submitted a timesheet for such duties, will be provided the opportunity for retro compensation back to August 1, 2024. Compensation for such duties shall be scheduled to be paid within the next pay period, upon approval of this MOU.

This agreement is one-time only for the 2024-2025 school year and is not precedent-setting. Further negotiations will be completed to make changes to the job description(s).

For BCCE:

DocuSigned by:
Frank Hernandez
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Frank Hernandez, President

9/9/2024

Date

For BUSD:

DocuSigned by:
Samantha Tobias-Espinosa
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Samantha Tobias-Espinosa, Assistant
Superintendent

9/9/2024

Date