

WHEREAS, the South Orange-Maplewood Education Association ("SOMEA") notified the South Orange-Maplewood School Board of Education ("Board") of its intent to discontinue in-person learning until such time as certain facilities issues were remedied; and

WHEREAS, the Board, through its President, Thair Joshua, Superintendent Dr. Ronald Taylor, and Labor Counsel, Patrick F. Carrigg, Esq., met with SOMEA on Tuesday, January 26, 2021 to listen to and discuss SOMEA's concerns regarding the readiness of the school facilities; and

NOW, THEREFORE, BE IT RESOLVED that the Board, by and through its Superintendent, and SOMEA, by and through its President, Rocio Lopez, have agreed as follows:

1. The Board and SOMEA (collectively referred to as the Parties) agree that there are a number of heating/ventilation units, both identified by the Board during its review and others by SOMEA, that are not working as intended, such that those worksites are deemed unfit for use. Functioning units are those with a working motor/blower which are capable of maintaining adequate ventilation and room temperature in compliance with N.J.A.C 12:100-13:3(a)1 et. seq. (68-79 degrees) with open windows, which may be opened at the discretion of the employee.
2. Beginning on Wednesday, January 27, 2021, the Parties will meet and confer and conduct walkthroughs regarding worksites to be occupied by members prior to such occupation to determine and verify whether the rooms are fit for use or require repair. If a worksite is determined not to be fit for use, the Board will relocate the member to a worksite that is fit for use. If such a room is not available, the member will work remotely until such time as an appropriate worksite becomes available.
3. SOMEA shall inform its members of the availability of 504 accommodations to the extent members may have preexisting conditions or illnesses, including those identified by the CDC, that place them at heightened risk of severe illness from COVID-19. Members who have conditions which place them at increased risk should they develop COVID-19 as determined by a licensed physician must submit documentation describing the condition and should set forth the recommended accommodation. Members at risk or that might be at increased risk of severe illness that provide appropriate medical documentation from a licensed physician documenting the medical necessity of a work from home accommodation shall be granted a work from home accommodation consistent with the requirements of Section 504, the ADA, and the New Jersey Law Against Discrimination.
4. Issues and/or violations of the CBA not addressed herein shall be resolved through the grievance process. The parties reserve all rights, remedies, and defenses thereto.
5. Based upon the foregoing, the Parties agree that January 27 through January 29, 2021 shall be virtual days and that the Association members shall return for in-person

instruction on Monday, February 1, 2021 unless they have been advised that they are, or will be teaching virtually due to the unavailability of a worksite (i.e. classroom) that is fit for use.

Agreed to by:

Rocio Lopez, SOMEA President

Dr. Ronald Taylor