

NEA ISSUE GUIDANCE: COVID-19 AND EDUCATOR WORKLOAD (UPDATED FOR THE 2021-2022 SCHOOL YEAR)

Introduction

The 2020-2021 school year was a tidal wave of COVID spawned work demands on our nation's educators. Despite the challenges created by the pandemic, educators stepped up again and again to teach and provide other important services. Even so, or perhaps because of their non-stop work, educators are understandably exhausted and demoralized.

The beginning of the 2021-2022 school year sees educators, who are caught in between a surge in COVID cases and the return to full-scale in-person education, anxious and confused about how the year will play out and how their workloads, and the lives of their students, their families and themselves, will be impacted. See for example: [Educator anxiety rises with COVID surge NEA Today](#) (August 27, 2021), [Mass confusion: Reopening Alabama's schools amid the delta surge Alabama Political Reporter](#) (August 21, 2021) and [Florida teachers on edge as mask war, COVID surge mark first weeks of school Reuters](#) (September 4, 2021).

Educator Shortage

The stress, anxiety, and uncertainty brought on by the pandemic is pushing the educator shortage to a critical tipping point. With enrollment in teacher preparation programs down a third over the past decade, a spike in retirements and resignations because of COVID, along with a shortage in substitutes teachers, has had and will continue to have a dramatic impact on the workload of those who remain in the classroom. As illustrated by: [As teacher shortage grows, schools opening without key educators NEA Today](#) (August 27, 2021) and [Job-related stress threatens the teacher supply RAND Corporation](#) (June 15, 2021).

But it is not just teachers who are leaving their professions, Bus drivers, paraprofessionals, food service workers, and school nurses, among others, are also in increasingly short supply. More specifically described by: [Low pay, poor benefits driving school transportation shortage NEA Today](#) (August 31, 2021), [Paraprofessional shortage hits Poudre School District The Coloradoan](#) (September 12, 2021), and [Philly's school nurses are exhausted as staff shortages and COVID-19 double their workload Philadelphia Inquirer](#) (September 29, 2021).

The exodus of educators does not mean the work goes away. Rather, the demand to perform that work falls squarely on the shoulders of already overburdened teachers, education support professionals, and specialized instructional support personnel.

ARP-ESSER

When confronting the educator shortage and workload problem, The American Recovery Plan (ARP) and the Elementary and Secondary School Emergency Relief Funds (ESSER) provide a tremendous opportunity to begin to address chronic staffing and workload issues that have worsened since the pandemic. For potential strategies as you review this guidance, see: [The ESSER funds: Bargaining and advocacy guidance for safe and equitable schools](#) NEA (June 1, 2021).

Updated for the current school year, the following guidance is part of NEA’s ongoing effort to provide timely and relevant information during the pandemic. It looks at new and ongoing issues and concerns relating to educator workload and offers examples and key considerations for addressing those issues and concerns.

Health and Safety

For the current school year, educator workload will be significantly affected by school district policies on vaccinations, COVID testing, quarantine, contact tracing, masks, social distancing, cleaning, ventilation, and other health and safety measures necessary to mitigate the spread of COVID-19. Schools that fail to implement robust policies to contain the virus will undoubtedly struggle to adequately cover classes and other duties of sick, quarantined and even deceased educators, and educators will once again be forced to move back and forth between in-person, remote, and hybrid learning conditions. Inadequate health and safety measures that fail to adhere to federal Centers for Disease Control (CDC), Occupational Safety and Health Administration (OSHA), and state and local guidelines will also lead to more resignations and will exacerbate the educator shortage.

Conversely, schools and education associations that prioritize health and safety are in the best position to keep buildings open, students in the classroom, and educators on the job.

The Shoreline Education Association (Washington) MOU for the 2021-2022 school year states: “District wide health and safety protocols will be designed to comply with applicable requirements of L&I (*Washington State Department of Labor and Industries*), OSPI (*Office of Superintendent of Public Instruction*), DOH (*Washington State Department of Health*) and Public Health-Seattle & King County.”

According to the San Francisco Department of Public Health (SFDPH), “Suspected in-school transmissions (in SFUSD) has been so low it cannot be publicly reported without concern for privacy and confidentiality.” See: [Data shows COVID-19 cases among San Francisco children is low and schools remain safe settings](#) SFDPH (September 9, 2021). In San Francisco, 90% of all children 12-17 years old are vaccinated. An MOU between the school district, the United

Educators of San Francisco, and all other staff unions required all SFUSD staff to be vaccinated by September 7, 2021, with weekly testing for employees who were unvaccinated prior to the September 7 deadline. The administration also committed to providing 20 mobile testing locations across the district.

The Montgomery County Education Association (Maryland) negotiated an agreement requiring MCPS employees to provide either proof of vaccination (the employer may require a vaccine booster) or mandatory weekly testing for unvaccinated employees. Employees who choose not to submit proof of vaccination or submit to weekly testing may resign without prejudice. The agreement also provides for 80 hours of “unusual and imperative leave” for employees who are vaccinated or have an approved medical exemption and 80 hours of leave to care for a family member.

As we move further into the school year, more and more local affiliates are negotiating and/or collaborating with school districts to make vaccinations for staff mandatory or require regular testing for employees who are unable to be vaccinated.

Staffing

One of the best strategies to lessen educator workloads amid an educator shortage is to increase staffing levels. Adding staff can relieve much of the stress placed on educators by making workloads more manageable and curtailing the excessive workdays that have become more common since the onset of the pandemic.

In a concerted effort to reduce class sizes, the Spokane Public Schools (Washington) hired in excess of 200 teachers over the summer and was pushing to hire an additional 40 para-educators as the new school year approached.

In Ohio, the Columbus Education Association bargained an MOU requiring the district to allocate ESSER funds to hire 33 additional school counselors and 88 literacy specialists for the 2021-2022 school year. This came just two years after CEA’s “Schools Columbus Students Deserve” bargaining campaign that culminated with an agreement that included the first reductions in K-3 class size caps in 25 years, along with 60 additional nurses, social workers, and social emotional learning practitioners.

The Shelby County School District in Tennessee is using ESSER funds to hire 250 K-2 specialized education assistants.

School districts can also address staffing needs, and use ARP-ESSER funds to do so, to hire staff to perform COVID testing and contact tracing, clean and disinfect buildings and buses, provide

instruction at virtual academies (or replace existing teachers who assume remote instruction assignments), continue expanded food distribution programs for students and communities, and conduct home visits and wellness checks.

Supplemental Hours

The pandemic has forced educators to work longer hours, often without compensation for the additional work. Many affiliates are now executing agreements that recognize the need for members to work beyond their normal schedules and to compensate them accordingly.

The Columbus Education Association’s MOU for the 2021-2022 school year includes the following provision: “Upon the prior approval of the Director of Health Services, School Nurses or other CEA bargaining unit members will be offered supplemental hours for the purpose of COVID-19 related responsibilities pursuant to Article 903 (*Supplemental Hourly Rate*) of the (*Master*) AGREEMENT.”

The San Diego Education Association bargained language that granted Virtual Academy unit members an additional ten workdays, paid at the pro rata rate of pay, immediately prior to the new school year for administrator directed program planning, staff meetings, professional development, and preparation.

Another California local, the Sargus Teachers’ Association, agreed to lengthen the school day by 30 minutes for the 2021-2022 school year, compensating bargaining unit members at their per diem rate of pay.

For the 2020-2021 school year, Sargus teachers received \$50 per hour “extra duty-extra pay” for planning and providing Learning Loss Intervention (ELA, Math & ELD tutoring) outside of regular instructional hours, calculated at one hour of planning for every two hours of instruction.

Consistent with its master agreement, the Montgomery County Education Association negotiated an agreement for the district’s virtual academy that includes pay for unit members who volunteer to teach additional classes beyond the teacher duty day, calculated as actual teaching time plus 20% for planning time.

Substitutes and Classroom Monitors

Teachers cannot be expected to constantly forgo their planning time, collaboration time, time to attend IEP meetings, and office hours to cover classes when other staff are not present. To avoid this, some school districts have relied on temporary workers or volunteers to monitor the classroom. But using community partners, volunteers, or temporary services to replace educator and staff positions, should be avoided. Students deserve highly qualified and trained educators

who are knowledgeable about the lesson content, classroom management, and pedagogy to ensure productive classroom time and continued student learning.

Consider:

- Establishing terms and conditions for internal substitute assignments, covering classes, and assisting in the online classroom during fully remote or hybrid instruction.
- Advocating for additional paraeducators and other employees, such as special education teachers or Title I teachers, to assist in the classroom for concurrent instruction or to allow educators to attend IEP meetings.
- Training additional ESPs to assist in the classroom to maintain their hours and provide career growth opportunities.
- Adding administrators to the pool of district employees who can be involuntarily assigned to cover or monitor a class.
- Ensuring that every substitute receives an information packet on the operation of the specific school to which he or she has been assigned, including health and safety procedures.
- Providing substitute coverage for teachers and other staff required during IEP meetings scheduled during instructional time.

Meetings

To help manage workloads and mitigate the spread of COVID-19, affiliates have negotiated agreements that limit meetings and provide for virtual meetings.

San Diego: “Whenever practicable, all meetings involving SDEA members, including those with parents, shall be in an online setting”

Santa Monica-Malibu (California): Virtual engagement for the district’s annual Convocation, school site back-to-school nights, parent-teacher conferences, parent-teacher meetings, and IEP or 504 meetings.

St. Lucie (Florida): “When a virtual option is not available, administrators will make every effort to schedule face-to-face staff meetings or professional development in spaces that provide 6 ft. social distancing.”

Sargus: Staff meetings limited to 60 minutes.

Eagle County (Colorado): The difficult decision was made to reduce PLC (Professional Learning Communities) for the current school year due to a teacher shortage and to protect individual planning time.

COVID Leave

School districts that do not provide for sufficient paid leave run the risk of COVID-infected educators who have little or no accumulated sick leave coming to work and spreading the virus to students and staff.

In Florida, where the governor is a staunch opponent of COVID mitigation efforts, local affiliates have bargained MOUs that include paid COVID leave (separate from sick leave) for educators:

Clay County Education Association: Eight days paid leave if a teacher tests positive for COVID-19 and eight days paid leave at 2/3 pay if a teacher's child tests positive for COVID-19 or has to quarantine and they have to stay home to take care of them.

Education Association of St. Lucie: Ten days of "Illness in the Line of Duty" leave if an employee quarantines or becomes ill and tests positive for COVID-19 due to exposure at a worksite and granting employees who have been fully vaccinated against COVID-19 an additional ten days of paid leave.

Polk Education Association: Ten days of paid leave (up to five additional days with a physician's note) for employees who are either vaccinated (or unvaccinated due to a pre-existing medical condition with a physician's note) and contracts COVID-19 in the performance of their regular duties.

Mode of Instruction

While every state and virtually every school district in the United States are committed to physically reopening schools and keeping them open for in-person instruction, affiliates must still consider the possibility of a return to remote instruction in response to outbreaks at the district, campus, or classroom level. In many places, a virtual school option is being provided for students who are unable to be physically present at school or whose families are not yet ready to send their children back to the classroom.

In addition to agreements on the terms and conditions relating to the operation of virtual academies, affiliates have also bargained agreements to address the possible return to remote instruction.

Notice Requirements

Columbus Education Association: "The parties agree and understand that the District may move between remote and in-person learning for the remainder of the 2021-2022 school year on a

districtwide, building, program, equity based and/or classroom level, and will also continue to provide learning through the Blended program. Any time the District transitions between remote learning and in-person learning, the District will provide notice to the impacted CEA bargaining unit members as soon as practical. This provision shall apply when the Superintendent designates that buildings without functioning air conditioning are closed due to excessive heat. This provision will not apply to designated calamity days. Notice of a heat day designation will be made to CEA bargaining unit members not later than 2:30 p.m. of the contract day prior”

Concurrent Instruction Prohibited

Santa Monica-Malibu Classroom Teachers Association: “Unit members will not be required to teach concurrently.”

Compensation

A 2018 [cover story](#) from *Time Magazine* offered this poignant reminder of the financial plight confronting far too many of our nation’s teachers:

“I have a master’s degree, 16 years of experience, work two extra jobs and donate blood plasma to pay the bills. I’m a teacher in America.”

COVID-19 added the insult of untenable educator workloads to the injury of inadequate pay.

Often using ESSER dollars, many districts, and some states, have paid “thank you” bonuses in recognition of COVID-driven work demands. In Florida, many local Associations organized until school districts agreed to pay ESPs the same \$1,000 stipend that the state’s ESSER plan provided to teachers and principals only.

While these payments typically range between \$1,000 and \$2,000, some locals successfully negotiated stipends that are considerably larger.

The Jefferson County Teachers Association (Kentucky) negotiated \$5,000 bonuses in recognition of work performed during COVID.

The Berkley Federation of Teachers (California) negotiated a 3.5% stipend on top of a small (1%) base raise.

Projecting 21% turnover, the Waco Independent School District (Texas) approved retention bonuses of up to \$10,000 for teachers and \$1,000 for custodians and food service workers. The bonuses are to be paid over three years and the size of the bonus is tied to length of service.

Preliminary data suggest that raises received by educators for the 2020-2021 school year, a year marked by health and safety and financial uncertainty, were modest in comparison to recent years. However, for the 2021-2022 school year we are beginning to see signs that teachers and other educators are winning meaningful increases in base pay at the bargaining table.

NEA-Carlsbad (New Mexico): With the school district facing a teacher shortage, the union financial successfully negotiated a new salary schedule pushing the starting pay for teachers to \$50,000.

Jefferson Education Support Professionals Association (Colorado): Negotiated a historic agreement, guaranteeing that no employee will make less than \$15 per hour, and providing up to a 20% pay increase for many JESPA members.

Pueblo Education Association (Colorado): Negotiated ten percent raises over two years

Rockford Education Association (Illinois): First year teachers to receive a 35% pay increase over the term of new four-year agreement.

Educator Voice

In bargaining states, school districts are required to negotiate decisions and/or the effects of decisions that impact educator workloads. Where bargaining does not occur, educator voice regarding these decisions can be achieved through other forms of labor-management collaboration.

The Columbus Education Association went a step further by negotiating an “ESSER Funds Working Group” to discuss the “expenditure of ARP-ESSER funding and opportunities for CEA members to support accelerated student learning, HVAC and other facility upgrades, student technology access, voluntary home visits, and newly created positions.”

Closing

Affiliates across the nation are continuing to work with school districts and state and local governments to address ongoing workload concerns and other critical issues related to COVID-19. Utilizing collaborative processes, formal negotiations, and enforcement mechanisms, affiliates are advocating for those things that are necessary to ease workload pressure and reverse a worsening educator shortage. The knowledge and experience gained over the past year-and-a-half can help inform the policies and practices for the current school year and beyond. The unprecedented funding made available by ARP-ESSER can help to ensure that sound policies and best practices are put into place.