

TAAAC ACTION REPORT



Your Professional Organization

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Teachers Association of Anne Arundel County, An MST/NEA Affiliate

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Furlough Rescission Implemented

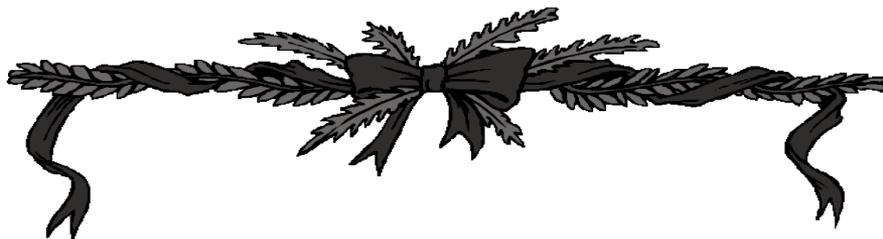
As most of you know by now, there has been an agreement reached on the most appropriate way to give back a furlough day already served. While it sounds like no more than common sense, there were some details that needed discussion. There was also some flexibility required of the employer in that *we* (meaning the four employee advocates) actually sought a day's pay for a day that was not worked. For all the matters that have been subjected to dispute over the past few years we should take the time to acknowledge that in this narrow matter of how to repay one spent furlough day, logic and fairness prevailed.

Here was the logic: If we could agree on the presumption that the first day furloughed was the day rescinded; then the natural remedy would be to return to the impacted employees the value of that lost day. That value has already been defined in the various collective bargaining agreements (albeit for other reasons) to be one per diem portion of annual salary. So, the December 30 salary distribution will provide everyone with one day's pay at the respective per diem rate. Further, it was accomplished without requiring 10-month employees to report to work on January 25. Such a requirement would have been inequitable in that the result would lead to 10-month employees receiving disparate treatment in comparison to their 12-month colleagues. One group would have recovered the day's pay without be required to work, the other would have had to work the extra day.

The simple retraction of one day of salary was fair, equitable, and easy for the payroll office to administer.

Now, it must also be recognized that the matter of how many furlough days were really necessary remains subject to much doubt. The return of this one day was good. The manner in which it was returned was widely agreed to be the best option. But the uncommitted \$3.2 million operating fund balance from FY09 is still troublesome. It means that yet another day of lost income for AACPS employee could be returned.

Happy Holidays to you and your family!





Bill Jones

COMMENTARY

So as not to lose the attention of readers by drowning them in dollar signs, let me put things in perspective. A \$22 million dollar loss is the rough equivalent of 4% off of the salary scales, three hundred and forty teaching positions, or 125% of our healthcare fund balance. As you can see, the bargaining terrain is quite a rocky one.

There are less expensive ways to demand reasonable behavior at graduation ceremonies.

The proliferation of new programs notwithstanding, our bigger problem remain that of shrunken revenues at the state and county level. Maryland's got money problems that will have direct impact on its ability to fund local education agencies. Further, Maryland may be resolving some of its money problems by passing some of its bills down to the counties. The potential for the MOE waiver is one example. Another is to pass the burden of state teacher retirement and pension plan funding to local school systems.

“Policies of the past are no longer working. Status quo is failing. It’s time for the tail to wag the dog.”

Interest-Based Bargaining sessions are underway and have been since November 5. As both parties understood from the onset, the process is a time-consuming one. As a result, scant progress has been made and the matter of salaries and benefits has been touched only to the extent of the IBB team’s acknowledgement that fiscal year 2011 looms ahead like a mushroom cloud.

We have just passed the time of year (September 30) after which our maintenance of effort can be projected. *Maintenance of effort* (MOE) is the minimum school funding requirement that state law requires of local jurisdictions, a function of per pupil allowance (PPA) and projected student enrollment. If fully funded as currently required by law, it means that the AACPS could expect about \$8.3 million from Mr. Leopold and company, and very likely not a cent more. Worse, rumors of a possible one-year state-wide waiver of MOE are rampant. Even if MOE is funded at only 95%, that could mean a loss of approximately \$22 million instead of a gain of \$8.3.

Despite that, there are a few program enhancements that we can expect to see when the Superintendent reveals his budget proposal on December 16th. With the FY09 budget book as a guide, we can probably expect further increases in STEM, Performing Visual Arts and the student data system, to the tune of about \$2.5 million. That is about the cost of one furlough day.

A modification of the property tax revenue cap would help somewhat. If the proposed modification (a change of one word) was in place this fiscal year, it would have brought about \$17.5 million more revenue without opening the door to unfettered spending. The adoption of the necessary zoning legislation to allow the video lottery tables at Arundel Mills would also provide over \$50 million over the next three years.

This might be the year we have to make tough decisions about voluntarily allowing program enhancements to be funded out of our pockets. The 181st student day does not come without additional cost either.

Policies of the past are no longer working. Status quo is failing. It’s time for the tail to wag the dog.

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From Contentia this month . . . *Evening Activities and the Negotiated Agreement*

Although the regular duty hours of Unit I members is clearly defined in the Negotiated Agreement, many Unit I members are facing increased pressure from AACPS administrators to engage in additional activities that extends their working hours beyond the negotiated duty day and workweek. In at least two high schools, teachers are facing an administrative expectation to attend evening high school graduation exercises; which includes an inappropriate modification to their regular duty hours, extending their workday until 9:00 PM to accommodate the expectation. Unit I members cannot be required to attend more than one evening activity per year, nor can they be required to work beyond their regular duty day or workweek.

Article 11.F requires: *"Attendance at Back-to-School Night or one such similar evening activity as directed by the principal shall be required each year. This meeting shall not be considered part of the required workweek."*

If Unit I members have already fulfilled this requirement by attending a Back-to-School Night activity or any other evening activity earlier in the school year, they cannot be required to attend any other evening activity for the remainder of the year. The contract language further clarifies that any such meeting shall not be considered part of the regular workweek. Attempts by administrators to mandate attendance at more than one evening activity (including evening high school graduation exercises) or to modify the regular duty hours to force attendance are in violation of the Negotiated Agreement. In addition, the Negotiated Agreement requires arrival and dismissal times of Unit I members to be established by the principal working with the Faculty Advisory Council.

Article 11.A requires: *"The times at which teachers must normally arrive in the morning and may normally leave in the afternoon shall be scheduled in each school by the principal working with the Faculty Advisory Council (emphasis added) and considering the 7.0 hours limit stated above."*

The administrators do not have the authority to unilaterally impose or modify the regular arrival and dismissal times of Unit I members. They are obligated, by contractual language, to work with the FAC to establish arrival and dismissal times.

If any Unit I members are being required to work beyond their regular duty day or workweek and/or are being required to attend more than one evening activity per year, they are strongly encouraged to contact their TAAAC UniServ Director to discuss these violations and the appropriate avenue of redress.

* To avoid charges of insubordination, All Unit I members are reminded not to refuse the directives of an administrator. Comply with administrative directives, but contact the TAAAC office as soon as possible to discuss any potential violation.

Arundel Mills and Video Gaming

The Maryland voters have spoken and whether we like or not, whether we supported it or not, slots have become a lawful recreational activity and a revenue source for entrepreneurs and government agencies. Moreover, by the time this article reaches its readers a license will have been issued for a site right here in Anne Arundel County. Betting odds indicate that by the December 7 meeting of the County Council all that will probably be left of the puzzle is a zoning piece. This is no longer a "slots" issue. The voters already disposed of that matter, and the disposition was favorable. It's now a matter of whether the county fixes the zoning issue and takes its share of future revues; or whether the county would prefer the revenue to go to someone else. According to the Department of Legislative Services, the revenue is significant. *(Continued on page 4)*

WELCOME NEW MEMBERS

Caitlin Anderson
 Donna Bagley
 Ashley Bergersen
 Merlina Bogador
 Christopher Brady
 Karen Cobb
 Morgan Costanzo
 Peggy Dombrauskas
 Kimberly Eger
 Alice Gregg
 Brooke Greilsheimer
 Dana Hurwitz
 Erica McCauley
 Victoria McLeish
 Mary Meritis
 Reba Milke-Dilloughby
 Bruno Nogueira
 Christina Olson
 Kevin Pound
 Dawn Riddick
 Jennifer Robertson
 Kristina Rupard
 Bobbie Sargent
 Wendy Shami
 Amy Sharp
 Ellen Smith
 Shaina Solomon
 Mei Tucker
 April Umile
 Carly Webb
 Bradley Wentt
 Daniel Wetzel

(Continued from page 3)

Anne Arundel County could project about \$58.5 million in new revenues over the next three years; \$6.9M in FY11, \$21.6M in FY12, and \$30.0M in FY13. In a revenue-starved tax-averse county like ours, whose per pupil effort in public education is routinely below the state average, maybe this is an opportunity we shouldn't ignore.

NOMINATIONS OPEN

The TAAAC Nominating Committee is accepting nominations for **President, Vice President, Board of Directors, and NEA Delegate**. Nominations forms must be received at the TAAAC office by 5:30 PM on Tuesday, January 12, 2010.

Name _____

Address _____

Email _____

School _____

Phone (H) _____ (W) _____

I would like to place my name in nomination for the following position(s):

- President
- Vice President
- Board of Directors
- NEA Delegate

(Have you been a delegate before: YES or NO)

“What helps me go forward is that I stay receptive, I feel that anything can happen.”

-Anouk Aimee

TAX PREPARATION

R. J. Pellicoro & Associates is now accepting appointments for tax preparation at the TAAAC office on the following dates:

Monday, February 22	1-7 PM
Thursday, February 25	1-7 PM
Tuesday, March 2	1-7 PM
Monday, March 8	2-7 PM
Thursday, March 11	2-7 PM

Please call the TAAAC office to schedule an appointment.