What should you do if you are called in to see the administrator?

This would not ordinarily be a topic for the front page, but in light of recent events that occurred already this school year, a review of your right to TAAAC Representation is in order. Don’t go it alone. **Weingarten Rights Help Protect You!**

In a 1975 case (*NLRB vs. Weingarten*), the U.S. Supreme Court ruled that employees working in a union environment have the right to union representation at investigatory interviews. These interviews occur when a supervisor questions an employee to obtain information to decide if disciplinary action is warranted or the employee is asked to defend their behavior or conduct. It is up to the employee to determine if they have a reasonable belief that discipline or other adverse consequences may occur as a result of what they say. If you are directed to attend a meeting to discuss an issue or incident that may, in your mind, result in disciplinary action, you have the right to request union representation at the meeting. In truth, any discussion of a workplace issue or incident could potentially result in disciplinary action and the employee should always request union representation at an investigatory meeting. The employer or supervisor is not obligated to inform you of this right and often will not. The employee must make the request for union representation.

Many employees have been directed to meet with their administrator, to discuss what they perceive to be a trivial issue, only to realize they are facing very serious allegations or accusations. An employee may stop the interview at any point and request union representation. If the administrator refuses your request, you are under no obligation to respond to any further questioning; simply state you will be happy to cooperate when your TAAAC rep is available. If an administrator denies your request and still insists that you attend the meeting, state the above and take notes on the questions without responding.

After the employee requests union representation, the employer has three options; stop the interview until the union rep arrives, cancel the interview, or ask the employee to waive his/her rights to union representation. **An employee should never opt for waiving their rights.** A union representative is not limited to merely observing the interview, and is given specific rights under Weingarten to ascertain the specific subject of the interrogation, speak with the employee privately, and interrupt for clarification or objection to confusing or intimidating tactics. Although the union rep is prohibited from telling the employee exactly what to say, the rep can advise the employee on how to answer questions appropriately.

If you are directed to attend an investigatory interview, at your school or the central office, **never attend alone!** Call the TAAAC office and inform your UniServ Director that you have been summoned to a meeting and the Director will make the necessary arrangements for the meeting.
Respect for Teachers’ Time

The most poignant way to begin this month’s commentary would be with an excerpt from a recent e-mail—

“Yesterday I was at school from 6:30 AM to 8:30 PM to get grades into the school computer. This was after working Friday night, all day Saturday, and about 8 hours on Sunday which was interrupted by family members insisting on celebrating a birthday. I am unable to access Power Gradebook from home, and I do not have enough time to do all the &*$^% busy work, make parent contacts, attend all the meetings, type up redundant weekly lesson plans, and blah, blah, blah...”

Earlier this year, you saw hundreds of teachers rallying for Respect. Much of what we wanted respect for was the issue of teacher time. Generations of school system administrators have given lip service to the issue but new programs, stricter accountability, newsworthy resume builders, and other feathers for hats have generally taken priority.

Our employer tells us that everything is being done that can be done to assist teachers with their workload. Rhetoric notwithstanding, our employer’s actions illustrate clearly the low level of regard given to our workload.

Power Gradebook is only one link in this chain of evidence that refutes any claims of concern about teacher workload. There had to be clear knowledge on the part of the administration that keyboarding was about to assume an even larger role in the life of a teacher, a role that was already too predominant. But the employer forged ahead with the presumption that teachers would continue to sacrifice family and personal lives to accommodate the extra time. Moreover, the employer forged ahead with the extra workload while simultaneously taking work time away that might have been used to accommodate the increased demand – the 181st student day.

Life teaches us to assess the intentions of others by what they do, not by what they say. Recent history tells us that our employers, past and present, are quite willing to have conversations about reducing the increasingly unmanageable workload of its teachers. But each one in turn has acted to contribute to its worsening. Maybe it’s time that teachers take back some control over their own lives. Except for back-to-school night, the only task that can be required of teachers beyond the 37½-hour work week is…individual planning for the delivery of instruction.

Ten-month Unit I employees are suffering a loss of salary this year due to the imposition of up to three unpaid days of furloughs. Under circumstances that have existed for the entirety of recent history, those three days would have been selected from nine non-student days in the calendar. With the loss of three of those days to furloughs, combined with the foreseeable increase in workload, any reasonable observer concerned with teacher workload would conclude that this is not the best year to add an extra (and unnecessary) student day. The addition has the multiple impact of worsening the workload situation by requiring more planning for instruction, more instruction to assess, and less non-student time to accomplish that work.

Our well-intentioned conscientious e-mailer could not be required by the employer to sacrifice personal time for the type of work being done.

(Continued on page 3)
From Contentia this month . . . Discipline is your responsibility . . .

Have you been told you cannot refer a student to an administrator until you have taken a prescribed number of steps to resolve the problem without administrative help? Wrong. It’s in the contract.

You have the contractual right to refer.

Article 10 of the Negotiated Agreement supports you in your disciplining of students. You do assume the responsibility for establishing effective discipline in your classroom. However, when a serious disciplinary infraction or disruption by a student whom you can no longer control occurs, that student “shall be referred to the principal or to another staff member designated by the principal to deal with such a case.” It is your duty to refer such infractions and disruptions. It’s in the contract.

Furthermore, the final resolution of any referral cannot be made by the administrator without your input and involvement. It’s in the contract.

Lastly, it is the duty of the principal or appropriate administrator to support you in the reasonable disciplining of a student. Who says so? The Board of Education. It’s in the contract.

How can you protect your hard-earned rights?

When a student commits a serious disciplinary infraction or disruption – refer. Number and date each referral. Make up your own numbering system. Make and keep a copy of each referral you submit. If your administrator refuses to give you referral forms, make up your own. If your assistant principal says you can’t make a referral, direct it to the principal. If your principal says you can’t make a referral, call your TAAAC UniServ Director ASAP. You probably have a grievance. It’s in the contract.

((Continued from page 2))

Neither can the employer require similar sacrifice from the e-mailer’s colleagues. None of what was being done would constitute individual planning for the delivery of instruction. It may not have felt like it, but that time spent belonged to the teacher, not to the employer. Maybe it’s time for us to set some of our own priorities for what we choose to do with our own time.

“What you should do if you are assaulted by a student

Use force reasonably necessary to prevent violence, restore order and to protect yourself and surrounding individuals. (Section 7-307 of the Education Article)

Promptly notify the administration of the incident. Complete a referral form as soon as you are able.

If you are injured, let your administrator know that you are leaving the building and seek medical attention. Obtain the Employers First Report of Injury or Illness form.

Call TAAAC at 410-224-3330, and do not allow yourself to be questioned about the incident until after speaking with a TAAAC UniServ Director.

“Make the most of yourself for that is all there is to you.”

-Ralph Waldo Emerson
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Teachers Association of Anne Arundel County
3941 River Road, Suite L7 • Annapolis, MD 21401
410/841-6026, 410/849-3390 or 800/841-6209
Fax 410/641-0171

2009-2010 ENROLLMENT FORM

For Local office use only
NEA $ ______________
MSEA $ ______________
TA AAC $ ______________
Total $ ______________

New! Fast! Easy! Sign up online! Pay by credit card! Visit www.marylandeducators.org

SOCIAL SECURITY NO. (Last 4 digits are required) ___________ OR ___________
EMPLOYEE ID NUMBER ___________

FIRST NAME ___________________________ M. I. ___________________________
LAST NAME ___________________________
[ ] Mr. [ ] Miss [ ] Dr.
[ ] Mrs. [ ] Ms.

ADDRESS ___________________________

CITY ___________________________
STATE ___________________________

HOME PHONE ___________________________
EMAIL ___________________________

DATE OF BIRTH_________________________ MONTH ________________ DAY ________________ YEAR ________________
[ ] American Indian/Alaska Native [ ] Black
[ ] Caucasian (not Hispanic origin) [ ] Native Hawaiian/Pacific Islander
[ ] Asian [ ] Multi-Ethnic [ ] Other

HIRE DATE_________________________ REGISTERED VOTER [ ] Yes [ ] No

Check your salary level for dues computation:
[ ] Over $36,673 [ ] $18,336 - $36,673 [ ] Below $18,336

Method of payment:
[ ] Payroll deduction (Sign and date below.) [ ] Cash / Check

Check one:
[ ] Full-time [ ] Part-time (________/10ths)
[ ] 10 Month [ ] 12 Month

Payroll Deduction Authorization
I authorize the Board of Education to deduct from my salary bi-weekly payments for membership dues as indicated herein. I understand that such deductions shall continue from year to year for the dues set annually unless I rescind such authorization in writing to TAAAC over my original signature in accordance with local by-laws between August 15 and September 1. In case of my resignation or termination, the Board of Education shall deduct the balance of my yearly dues from my final paycheck.

Dues payments are not deductible as charitable contributions for federal income tax purposes. Dues payments (or a portion) may be deducted as a miscellaneous itemized deduction. Annual membership dues to the NEA includes $5.40 for NEA Today, $3.25 for NEA-Retired and/or $10.75 for the Higher Education Publications. The NEA publication(s) received by members are based on membership category. Annual membership dues to the MSEA includes $5.00 for the MSEA ActionLine.

SIGNATURE ___________________________ DATE ___________________________

Voluntary Contribution Authorization for the Fund for Children and Public Education

"I hereby authorize the following voluntary contributions to the NEA, MSEA and TAAAC FCPE. The Board solicits voluntary contributions from Association members and uses these contributions for political purposes, including, but not limited to, making contributions to and expenditures on behalf of friends of public education who are candidates for federal office. Contributions to FCPE are voluntary, making a contribution is neither a condition of employment nor membership in the Association, and members have the right to refuse to contribute without suffering any reprisal. Although the NEA, MSEA and TAAAC FCPE request an annual contribution of $3.00 per paycheck, this is only a suggestion. A member may contribute more or less than the suggested amount, or may contribute nothing at all, without affecting his or her membership status, rights, or benefits in NEA, MSEA or any of their affiliates. To increase or decrease your contribution, see the text above."

I understand that I am making a joint contribution to the FCPE and that one third of my contribution will go to the NEA FCPE, one third to MSEA FCPE, and one third to the TAAAC FCPE.

SIGNATURE ___________________________ DATE ___________________________

Contributions or gifts to the NEA, MSEA and TAAAC FCPE are not deductible for federal income tax purposes. Federal law requires us to use our best efforts to report the name, mailing address, occupation and name of employer for each individual whose contributions aggregate in excess of $200 in a calendar year. Federal law prohibits the NEA FCPE from receiving donations from persons other than members of NEA and its affiliates, and their immediate families. All donations from persons other than members of NEA and its affiliates, and their immediate families, will be refused forthwith.

Application for Membership in TAAAC Sick Leave Bank
The purpose of the Sick Leave Bank is to provide continued pay benefits to participants in the Bank for qualifying, incapacitating, catastrophic personal illness during regularly scheduled duty days after regular sick leave has been exhausted. Membership is subject to approval by the Sick Leave Bank Committee.

Have you received treatment for any illness or condition in the past 90 days? [ ] Yes [ ] No If yes, explain:

Please enroll me in the TAAAC SLB ___________________________
SIGNATURE ___________________________ DATE ___________________________