

TAAAC ACTION REPORT



Your Professional Organization

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

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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.



Bill Jones

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 every-

COMMENTARY

thing 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

"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."

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.

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.

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.*

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

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TAAAC Action Report

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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.

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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.

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

-Ralph Waldo Emerson

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.

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Form with fields for: TAAAC LOCAL, WORK LOCATION, POSITION, SUBJECT, *MSEA Fund for Children & Public Education voluntary contribution \$3.00 per pay period or per pay.

Check your salary level for dues computation:
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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 hereon. 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.

Voluntary Contribution Authorization for the Fund for Children and Public Education
*I hereby authorize the following voluntary contribution to the NEA, MSEA and TAAAC Fund for Children and Public Education (FCPE). The fund collects 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.

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.