

BEU *The Brookline Educator*

Newsletter of the Brookline Educators Union

April 2006

INVOLVED IN NEGOTIATIONS

This month we asked Carmen Santos, a first time negotiator, to share with us what it has been like so far on the front lines of negotiations. She is the Metco Aide for Pierce and Devotion schools and generously agreed to answer some questions in an e-mail interview.

Why did you decide to get involved in negotiations? I wanted to help the voices of paraprofessionals be heard. I must admit Karen Blackburn was a strong influence. Karen approached me and explained the history behind paraprofessionals becoming a part of the union, which then sparked my interest even more. My mother also encouraged my involvement and has been VERY supportive in affording me the time to participate in the numerous meetings. My mother has been on the board and vice president of the secretaries' union for Boston Public Schools for over 20 years.

What is one important thing that you have learned? I learned if you don't stand up for what you believe in, your concerns will not be addressed. I now realize the importance of being a part of a union and how the union affects my position with Brookline Public Schools. It's critical that the members of the union speak their concerns, as well as support the negotiations committee in our struggle to get the school committee to meet our concerns.

What is the hardest part? Trying to meet the needs of all union members. A great deal of time is needed to negotiate for all units. We are all giving up personal time to make sure we get the best contract for all units. I'm a mother of three school age children and my husband works nights. Finding child care and not being with my children at bed time is a challenge.

Has anything been fun? Building relationships with members of the negotiation committee.

Have you changed your mind about something? I do look at my position and others differently. I realize that unit B, unit A and paraprofessionals give much of our personal time in order to best serve the students of Brookline Public Schools and we are not compensated for these efforts.

What surprised you the most about negotiations so far? 2.5%, 1.75%, 1.75%. Also, BSC saying NO to most of our proposals but at the same time proposing extra time in the school day.

Do you feel that the teachers support the team? The teachers that I have talked with are very supportive. The large number of union members that came out to the recently held "Rap Sessions" tells me teachers have an interest in being supportive.

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SPEAK OUT FOR JUSTICE

As part of an ongoing series of interviews of union activists in Brookline, we recently interviewed Beverly and Tom Johnson. Bev was president of the (then) BEA during the pivotal negotiations after Proposition 2 and 1/2 drastically cut the tax money available to the school system. Tom is her husband who has worked in the administration of a number of school districts around the US. What follows is the first half of a two part article.

Editor: How did you get started in the union?

Bev: My father was a union steward and I remember him going on strike, and so it was a part of me from a young age. And then, when I was pregnant with my first child I was fired from a teaching position in Boston because I was pregnant and I thought "how unfair".

When I started working in Brookline, in 1963, there were no duty-free lunches, no planning time to speak of. The working conditions were not what they should be. We had a very hard time getting people to step up and speak up about grievances, and we had a very hard time getting the administrators to realize that changes were necessary.

Brookline had been like a happy plantation, a wonderful place to live and to teach. Our salary was up where the top two or three were and everyone wanted to keep it that way, the administration and the parents. We never had anything in our contract to do with RIFing [Reduction in Force, or layoffs] or with evaluations, none of that was in there.

Tom: I grew up in Brookline. It was the time in history when society was going crazy and the schools were going crazy, "question authority" and all those things. In Brookline, it was always the elite teachers, it was always the best and the brightest, and the community was very proud to see this. As I saw you, Beverly, you had a sense of justice and you spoke out for it. I think maybe she gave voice to some feelings.

Bev: I was union rep for my school, the Baldwin school. It was a K,1,2,3 school, with no principal. I taught Conan O'Brien in kindergarten. I wrote him a note once and said that I still remember you in the block corner and he wrote back to me and said, "You know, I still remember the block corner, vividly. And everything in my life has been downhill since then."

The four teachers at Baldwin really ran the school, pretty much, and I think that gave me the confidence to think that I could help the union. Then I became the grievance chairperson and then I took a year off to get my Masters degree at Harvard, and the year I came back they were looking for someone and I ended up taking on the presidency.

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SAVE THE DATE:

BEU GENERAL MEETING MAY 22



FEELING SICK?

Recently, the grievance team has had several issues dealing with sick leave and the Sick Leave Bank, including a violation of the medical documentation protocols. Hopefully this will help clarify your contractual benefits and responsibilities

All full-time teachers and 12-month paraprofessionals are credited with 12 days of sick leave at the start of each school year, with 10 month paras receiving 10 days. Part-time staff and those who start after the first day of school and work less than half the year are credited with a prorated number of days. Any unused days accumulate each year, without limit. But what if you develop a serious long-term illness or are seriously injured and have to be out for an extended period of time? The answer to this has two parts: Medical Documentation Protocols and Sick Leave Bank. First, the protocols:

The contract states that if you foresee an extended sick leave of 10 or more days, the Director of Human Resources should be notified 2 months in advance. Clearly, if you don't know that far in advance, such as in the case of an accident, notify as soon as possible. At this point, the contract's Medical Documentation Protocols come into play.

If requested by the Director of Human Resources, you shall furnish a note from a health care provider. This is not usually requested until the 4th consecutive day of absence. The note should state only the nature of the illness and anticipated period of absence and should not invite someone to contact the doctor.

If the Brookline School Committee (BSC), applying reasonable standards, finds the letter insufficient, the district will ask you to present the provider's findings as soon as reasonably possible, using the US Dept. of Labor's Certification of Health Care Provider form.

If you submit a complete DOL form signed by the provider, the BSC may not request additional information from your health care provider. However, the BSC may have a provider who represents them contact your provider, with your permission, for clarification and/or authentication. Your refusal will result in no sick-time benefit.

If the BSC is not satisfied, they can require, in writing, a second opinion, at their expense. If the opinions of your

provider and the BSC provider disagree, then the BSC can require a third opinion, also at BSC expense. There must be a good faith effort on the part of both you and the BSC to agree on the third provider.

While this process is going on, you receive sick leave. If the finding is ultimately in the favor of the BSC, the sick leave will be treated as unpaid leave and you are required to pay back the amount paid to you as sick leave time.

All medical documentation received is to be kept in a separate medical file, not in the personnel file and treated with confidentiality.

Now, on to the Sick Leave Bank. This is a voluntary program whereby employees contribute one sick day per year to the bank. If you have used up all your sick leave and still need time to finish your recovery, then you may apply to draw on the bank. The contract, in section 5.2, gives specific Sick Leave Bank guidelines. In general terms, only those who contribute may use the bank. All requests to the bank committee must be accompanied by a reason, and approved by the committee. The number of days needed must be specified at the time of request, although additional time may be requested later if needed. An attending physician's statement may be requested. 25% of the borrowed days must be paid back. The Sick Leave Bank is only for illness or injury.

The BEU Sick Leave Bank co-chairs, Sheila Leach and Bill Grady, generally handle questions about medical documentation and Sick Leave Bank.

If you have any questions or concerns, please don't hesitate to call the BEU at 617-277-0251. One of the following grievance committee members will get back in touch with you.

Gretchen Albertini (Devotion)	Jennifer Hanaghan (BHS)
Deb Allen (Devotion)	Barbara Hedges (Runkle)
John Abramson (Unit B)	Cathy Heller (Unit B)
Gerri Belle (Runkle)	Steve Lantos (BHS)
Jody Curran (BHS)	Susan Moreno (BHS)
Chari Dalsheim (Heath)	David Weinstein (Pierce)
Sandy Downes (Lawrence)	

NEGOTIATIONS

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How would you characterize the relationship between the BEU and BSC? Most of the time people are respectful and interested in hearing the views of others. However, occasional emotional responses (and condescending remarks) make it difficult to move ahead.

What do you observe about the role of the specialists? (Lawyer, MTA rep.) My observations have been that lawyer and the MTA rep. facilitate the meetings. The MTA rep. and the Lawyer are the voices of the groups they represent. They both come to table with years of experience in negotiation. Members of both groups (BEU & BSC) participate in the meetings to help the other sides get clarity on the issues and concerns. Because this is my first time, I wasn't sure what to expect. However, I respect the lawyer and the MTA rep. and find them to be committed to the

work they are doing.

What would help us most to get a good contract? Come out to school committee meetings when needed. Come out and vote when needed. Show the school committee we are in fact a "union" that will stand together. There is power in numbers! Most importantly, have patience with this process and trust that the negotiation committee is working for the best interest of all its members.

Would you recommend that anyone else volunteer for this? I would strongly recommend to other people to become involved. It's one thing to sit and complain about situations and it another to become involved and try to make a difference. What's the saying? "Don't be part of the problem, be part of the solution."

Would you ever do this again? Yes. I now realize how important this committee to ALL units of the BEU.

HEALTH INSURANCE COVERAGE; SHOULD THEY SWITCH?



Warrant Article 13, which is scheduled to go before Town Meeting in May, asks for a home rule petition with the state legislature to give Brookline the option of providing health benefits with the Group Insurance Commission (a state organization). As it stands now, co-pays go up, Blue Cross is not an option, they have no municipal experience, and we suffer a loss of bargaining rights over health care details. We would be the first municipality attempting this change. If it's so good, why haven't other towns and cities joined? As of now, I don't like it. I need much more information before we're first. You can see the full article and the Town's explanation at <http://www.townofbrookline.mass.com/tmm/warrants/warrant052306.html#article13>

A better way to look into this option is to wait for legislation that is being drafted at the state level that will more thoughtfully - and with union support - allow all municipalities to join the GIC with some protection, including going through section 19 Coalition Bargaining, opt-out procedures that will bring us back to where we were before going into the GIC, and slightly more representation on the GIC Board.

The first meetings with Brookline's political bodies was held on April 4, 2006, about a changeover of our health insurance. The Personnel Subcommittee of the Advisory Committee held their meeting earlier in the evening and decided to recommend "No Action." Later in the evening, the Selectmen listened to our eloquent speaker, Phil Katz (he was good), and are deciding. Then the full Advisory Committee met on Thursday, April 6th. The room was almost filled with members; thank you - I think it made a difference. At Mr. Kelleher's request, they voted to table the vote to see where the state-level legislation is going because he may withdraw the Article completely.

When the Selectmen or Advisory Committee decide to vote, we will be calling on you again to show support against this move. If you have the ear of any selectmen, or Advisory Committee member, please let them know that Warrant Article 13 does not benefit the employees of Brookline. This is not being considered for the period starting July, 2006. The process takes more time than that. We will keep you informed. Read the BEU conference for latest news.

Open Enrollment

Open enrollment for Blue Cross insurance programs can be made anytime between May 1st to 12th. There are two options for you. Also, several for retirees (with or without Medicare). A health fair will be held on the second floor of the Public Library on May 3rd, 12-4 PM. In past years, I have found it very informative and enjoyable. There are representatives from Social Security, Blue Cross. If you are thinking of making changes, this is a good place to get information. They also serve refreshments. And the neck massage was great!! I'll be there. Hope to see you.

Fitness Club Rebates

Hope you all got your checks for the Fitness Club rebates for 2005. Now, let's get you sending in the 2006 form. It can be submitted after four months of paid membership--MAY 1st. You don't need to wait till the end of the year, and rush or forget. May is a great time to get a \$150 check in the mail. Imagine what you can buy with \$150. And....this year, I have the fitness benefit form on the computer, and can forward it to you as an attachment if you e-mail me.

Have a lovely Spring vacation,

- Elly Finkel

BEV SPEAKS

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I was teaching second grade at Heath then, [Baldwin had closed] and I lobbied Personnel Director Bud Sheridan and struggled with him and he finally relented and we got half time release for the president of the BEA. It was also the year that we demonstrated for the first time, on Route 9, because of 2 1/2, they were going to cut jobs.

My first task as president was to face 550 angry teachers in the auditorium, all worried because any one of them might be losing their job, arbitrarily. People got fired up and I think that was the turning point. When we got to 2 1/2 it was like we suddenly grew up.

Tom: One of the critical issues was that the school department suddenly said that they were going to use evaluations rather than seniority in the RIF process and there was a sense of betrayal among the teachers. I think at that point people began to say, "maybe this is not as fair as it should be," and they began then to coalesce around "We need each other."

Bev: And we prepared for a strike. We had our telephone chains. We had an all-night negotiations session at Town Hall and everybody knew that the teachers were meeting at 6:30 in the morning at the VFW Post. Finally, there was some movement, enough so that we could call off the strike. There were other issues that took several more years to resolve.

Tom: One of the grievance issues you were working on with Bud Sheridan was that he wouldn't allow teachers to use sick leave benefits for a maternity leave. He was adamant about it.

Editor: What did you learn from your involvement?

Bev: It fulfilled a lot of needs of mine, to be with professional adults (part of the day) and the chance to be constantly thinking about making life better for teachers. I think I learned through my activities in the association. I started to realize that I had some leadership qualities, because I did speak out. I think that the potential for leadership among the teachers in Brookline is enormous.



"WHAT DO WE DO NOW?"

Over the past four years, I have issued the clarion call about the pitfalls and financial penalties of insurance company 403b annuities ad nauseum. At this point most teachers are familiar with my mantra about annuities: "Excessive fees and mediocre investments." In fact, there is a growing level of financial awareness and healthy skepticism about the 403b annuity program. The most compelling piece of evidence is the oft-repeated question: What do we do with our 403b -- now?

First of all, I'd like to point out that the framework for an institutional response to the 403b annuity quandary is slowly but steadily emerging. Thanks to a collaborative effort between the BEU and School Department, some basic, yet critical, safeguards have been put in place. In an unprecedented initiative endorsed by the School Department and the BEU, annuity companies and their representatives are no longer provided carte blanche to peddle their products amongst the Brookline teachers.

Beginning in September of 2005, annuity companies and their sales representatives were no longer permitted unlimited access to our schools. For the first time in years, there was a conspicuous but welcomed absence of sales representatives trolling the school buildings attempting to reel in new clients. Similarly, these same sales representatives were persona non grata in our lunchrooms and prohibited from placing brochures in our mailboxes.

What should you do now? The BEU is exploring a number of options to address the 403b annuity confusion. One possibility is to provide annual financial workshops for teachers. These workshops would be conducted by a financial planner whose sole focus is provide advice, not sell any products.

Another possibility under consideration is providing our members with access to a couple of outstanding financial newsletters at a discounted price. In each case the newsletter would provide a model portfolio of mutual funds that has consistently posted results superior to the average stock market returns over the past ten years. Our ultimate goal is help teachers build a viable financial future. And part of that solution involves replacing the bewildering array of mediocre 403b options with a transparent set of exemplary, no-load funds that charge reasonable management fees and don't impose "surrender charges."

-Robert Miller, Devotion

The President's Hours for March

- Negotiations - 89.5 hours
- Grievances/Complaints - 76.5
- Organizing Members - 23
- Community Relations - 22
- Internal Meetings - 19.5
- Doing paperwork, staying organized - 16.5
- Internal communications - 13
- Other Meetings with Management - 10
- Work with MTA & NEA - 6
- Membership Work/Finances - 4.5
- Health & Safety - 4
- Benefits - 3
- Professional Development - 1
- This totals 288.5 hours for the 5 weeks starting Feb 27



BEU CALENDAR

Executive Board Meeting

May 1 BHS Room 250 2:45pm

MTA Annual Meeting

May 5 Hynes Center 12:30

May 6 Hynes Center 9:00

Reps Council Meeting

May 8 BHS Room385A 2:45pm

Deadline for May Articles

May 9

BEU Committees

May 15 various locals 2:45pm

May Brookline Educator

May 17

BEU General Meeting

May 22 BHS Auditorium 3:00pm

Memorial Day - No School

May 29

We hope you enjoy this newsletter and find it informative. If you are represented by the BEU but are not a member, we ask you to join us.

Please note: Non-members represented in Units A and B and non-members employed more than 3 years in the Para Unit are responsible for paying an agency service fee, about 75% of the dues and billed late spring or summer.

THE BROOKLINE EDUCATOR

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