

## NEGOTIATIONS FORUMS: MONDAY, OCTOBER 29!

We are starting our negotiations for our three contracts soon. We need your input and support! This will start with forums in each school, after school, on October 29 and should last about 45 minutes. Your building reps will tell you the location.

These forums will give everyone the opportunity to brainstorm and discuss:

- our vision for a great public school education
- the impediments to that vision
- how to address these impediments in the negotiations.

These forums are designed to be empowering events that will create camaraderie among members. **Please set this afternoon aside and plan to attend the forum.** If you have not had the chance to RSVP, please tell a building rep now.

### BEU CALENDAR

#### Reps Council Meeting

October 15, 3:30 – 4:45pm

BHS (late start) BHS rm 020

#### “Nothing About Us Without Us, Is for Us” Participatory Action Research

##### Info Sessions

October 17, 3:15 – 4:45pm or

6 – 7:30pm BIG Studios

#### 403b Enrollment Workshop

October 18, 3:10 – 4:10 pm

Driscoll School

#### Educators for a Democratic Union Organizing

##### Conference with Jane McAlevey

October 27, 10:00 – 4pm

UMASS Boston

#### Member Negotiations Discussion Meetings

October 29, 3:15 – 4:15pm

BHS, 2:45-3:45 elementary

## RESPECT WHAT’S ALREADY BEEN VOICED

**The BEU is the collective voice of educators. Collective bargaining strengthens our schools. We are not volunteering for leadership committees because the committees have not yet been bargained with the BEU.**

The school district wants to spend \$100,000 from this year’s school budget on school leadership committees of ten educators who will “help lead each school in its ongoing work”. The committees are being advertised as giving educators a voice. But educators already have a voice and have been using it. The problem is that the administration doesn’t like what’s been said: educators have demanded to collectively bargain over the plan for leadership teams, but the district has refused. BEU educators are demanding that the district let educators exercise leadership on their own terms using their right to bargain collectively. Encouraging teachers to break with the union by acting only as individuals, as some administrators have, is a flagrant affront to educators’ right to self-organize and act in solidarity with one another -- to act in unity -- without interference.

In failing to address educators’ concerns through collective bargaining, the district unfortunately worsens a sense among educators that, for this administration, respecting teacher voice begins with talk and ends with talk, if they respond at all, not with action that respects us. Educators, through the BEU, have proposed to no avail that since there are available funds there should be 1) immediate pay raises for paraprofessionals so that vacant positions will be easier to fill, and 2) increases for stipends for those already doing extra work.

We already know that until and unless teachers are given fewer instructional periods and lower student loads and caseloads, that we need fewer meetings and building responsibilities, not more. Meetings and other added responsibilities have been increasingly encroaching on teachers’ and related service providers’ face-time with students, duty free lunches, and time to prepare for the day’s classes or sessions. Many paras are filling in without additional pay. However,



# WEINGARTEN RIGHTS

A bargaining unit employee has the legal right to have a union rep present in those circumstances “when a supervisor asks for information that could be used as a basis for discipline.”

## U.S. Supreme Court ruling:

The rights of unionized employees to the presence of union representatives during investigatory interviews was decided by the U.S. Supreme Court in 1975 in *NLRB v. J. Weingarten, Inc.* Since the Weingarten Company was investigating the employee, these rights have become known as Weingarten Rights.

## What is an investigatory interview?

An investigatory interview occurs when an employer questions an employee to obtain information, which could be used as a basis for discipline. You (the employee) should always request a union rep if a meeting could lead to discipline.

## Investigatory interviews usually relate to subjects such as:

- violation of work procedures
- absenteeism
- insubordination
- poor attitude
- violation of safety rules
- accidents
- sabotage
- work performance
- damage to state property
- falsification of records
- lateness
- theft
- drinking
- drugs

## Here are some scenarios to look out for:

-If you are called in to a supervisor’s office and there are other department heads there, such as someone from Human Resources, the Legal department, etc., you may want to invoke your Weingarten rights

-If during the course of the meeting, management starts asking for facts or “your side of the story,” you may want to invoke your Weingarten rights

-If the purpose of the meeting or interview is to in-

vestigate an employee’s allegedly inadequate work performance or other misconduct, you may want to invoke your Weingarten rights

**Remember: You can ask for a union rep AT ANY TIME during the meeting.**

**Here’s the language:** “If this discussion could, in any way, lead to my being disciplined or terminated, or affect my personal working conditions, I respectfully request that my union representative be present.”

Be sure you remember all the things you’re responsible for in a Weingarten meeting:

If you have advance notice, ask management what it’s about. Then you can prepare yourself for the questions they’ll ask.

In the meeting:

- Be calm.
- Be careful. Anything you say can be used against you.
- Keep answers short and answer only what you’ve been asked.

## WEINGARTEN RULES:

Under the Supreme Court’s Weingarten decision, when an investigatory interview occurs, the following rules apply:

### RULE 1

The employee must make a clear request for union representation before or during the interview. The employee cannot be punished for making this request.

### RULE 2

After the employee makes the request, the employer must choose from among three options. The employer must:

- a) Grant the request and delay questioning until the union representative arrives and has a chance to consult privately with the employee; or
- b) Deny the request and end the interview immediately; or
- c) Give the employee a choice of:
  - (1) having the interview without representation or
  - (2) ending the interview.

**RULE 3**

If the supervisor denies the request for union representation and continues to ask questions, he or she commits an unfair labor practice and you have the right to refuse to answer. The supervisor cannot discipline you for such a refusal.

There a supervisor ignores your Weingarten rights, stay in the room to hear the administrator out, take detailed notes stating that you requested a union rep and the request was denied, and upon leaving the meeting, contact a union rep immediately to file a charge with the Department of Labor Relations.

Questions? Contact a Grievance Team member. Contact info is at [brookline.massteacher.org](http://brookline.massteacher.org)

- Deb Allen (Devotion, retired)
- Alisa Conner (BHS)
- Jody Curran (Driscoll)
- Hillary Golden (Lincoln)
- Mark Goldner (Heath)
- Rich Gorman (BHS)
- Noah Gronland-Jacob (BHS)
- Jen Hanaghan (BHS)
- Cathy Heller (BHS)
- Kathy Hitchcock (BHS)
- Anna MacIver (Runkle)
- David Weinstein (Pierce, retired)
- Jessica Wender-Shubow (System)

rather than fix this structural problem, the response of the administration has been to stymie our efforts to solve it.

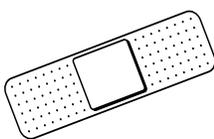
Unsurprisingly, when educators hear that more will be added to the day, they insist on bargaining over the operation and impact of the new initiative. In response, the administration is trying to intimidate us and to manipulate individual educators into complying with their unilateral plan that further erodes our time to teach and right to negotiate agreements that the administration can be held to.

Here are some of the questions that the BEU will raise when given the opportunity to negotiate over school leadership teams. The questions go to the heart of the union's commitment to increasing respect for the professional judgement of *each* and *every* educator and fighting for staffing and working conditions that create the best learning conditions for students.

- 1) What is the scope of work and time that will be compensated, and at what rate? Why are paraprofessionals, who will contribute equally, compensated at a lower rate than teachers?
- 2) How are committee members chosen, and how, when, and why will they qualify as representatives?
- 3) In seeking to represent others, how will the committee members consult with colleagues in a way that does not displace other important activities or leave colleagues under pressure to give up their preps or lunch?
- 4) If any activity is displaced by the work of these teams, what will happen to it?
- 5) What additional work will be expected of the rest of the staff?
- 6) How will decisions within the teams be made?
- 7) How will the decisions or recommendations of the team be implemented? Will the district negotiate with the



**YOUR HEALTH CARE**



Our health care agreements are negotiated by the PEC (Public Employees Committee) and the Town administrators. All Brookline municipal unions are represented on the PEC. Jessica Wender-Shubow and I represent all BEU bargaining units, both active and retired.

On June 30, 2018 our previous GIC health care agreement with the Town expired. Our past agreement is still in effect. The terms and conditions will continue until a successor agreement is reached.

The PEC is also a watchdog for violations of our health care agreement. Recently, we were able to recoup monies owed to Medicare Part B retirees who had not been receiving their negotiated reimbursements. Please feel free to contact us with any questions or concerns. Take care... [2sheilaleach@gmail.com](mailto:2sheilaleach@gmail.com)

*-Sheila Leach, PEC Rep*

# FINANCE FOR EDUCATORS

## MUCH ADO ABOUT GOOD FINANCIAL HABITS FOR EDUCATORS



Investing for the future with the 403b7 – “Most behavior is habitual and they say that the chains of habit are too light to be felt until they are too heavy to be broken.” I’d like to encourage you strongly to follow the advice of the legendary investor Warren Buffett, enroll in your 403b, and embrace the habit of saving money.

The 403b7 retirement account – completely separate from your MTRS retirement account – is a pre-tax dollar retirement account available to public school and non-profit employees; it’s almost identical to the 401k in the private sector.

- Contributions are tax deductible: If you earn \$50,000 and contribute \$125.00 each paycheck, your taxable income limit falls to \$47,500 and, in the process, you save about \$625.00 in taxes.
- The maximum contribution is \$18,500 in 2018; if you are 50 or older you make use of the catch-up clause and contribute a total of \$24,000.
- Half a Million Dollars\$\$\$ - That’s how much a 25 year old teacher will amass in their 403b after investing a mere \$125.00 per paycheck over 35 years, assuming an 8% return.
- October 403b Enrollment – The first enrollment workshop is scheduled for **3:10 pm on October 18, 2018 at Driscoll**. Please bring your laptop and download the Fidelity Enrollment Form: <https://nbacctopen.fidelity.com/>

Paying off Student Loans – It’s a difficult number to wrap your head around, but student loan debt has now surpassed the 1.45 trillion mark. Yes, it’s a mind boggling number, not to mention a financial and emotional burden for millions of teachers. That said, there are many, many overlooked repayment options that could save you thousands.\*

- Organize your Student Loans – The first step in solving a financial problem is to understand fully. Create a spreadsheet with all existing loans, including interest rates, monthly payment and projected payoff date.
- PSLF – Investigate the option of the Public Student Loan Forgiveness program for your federal student loans.
- Consolidate & Refinance – I recently walked a teacher through the process of consolidating and refinancing her Student Plus loans with SoFi. In the process, she reduced the loan interest rate from 7.6% to 3.99%, shortened the loan repayment period from 7 to 5 years and will save thousands!

\*Future articles will contain ongoing financial guidance for paying off student loans.

Questions:

Contact BEU Financial Consultant, Bob Miller, [odysseus7@comcast.net](mailto:odysseus7@comcast.net)

-Robert Miller, Devotion (Retired)

### The President’s Work

The Workload Oversight Committee has gotten underway with a proposal to have a group of caseload educators work with Casey Ngo-Miller to design a template for measuring caseload intensity. This will help ensure that students have quality supports to which they are entitled. Welcome new member Meghan Kennedy-Justice!

Please make sure you are receiving the new BEU Briefs! There is a link there for entering lost lunches, preps, coverage or sub pay.

Paraprofessionals are doing unprecedented organizing this year. Join the BEU and get involved!

*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. While the extreme-right wing U.S. Supreme Court has recently supported efforts to weaken unions by eliminating fair-share fees, all educators in our district benefit from the contractual protections, bargaining power, and unity of the BEU. So colleagues look to one another to keep the union strong by becoming a member and participating in the work of the union.*

### THE BROOKLINE EDUCATOR

*Published monthly by the Brookline Educators Union, affiliated with the Massachusetts Teachers Association and the National Education Association. Send letters, comments, inquiries, and articles to:*

*Brookline Educators Union*

*115 Greenough Street*

*Brookline, MA 02445*

*Tel: 617-277-0251*

*Email: [beu-mta@hotmail.com](mailto:beu-mta@hotmail.com)*

*You may reproduce this newsletter if you give credit to the writer and the BEU. Please tell us when you do so.*

*BEU members discuss issues and find additional news at the website:*

*[brookline.massteacher.org](http://brookline.massteacher.org).*

*All members are encouraged to join using a personal email address.*

*Colleen Muldoon, Communications Chair*

*Jessica Wender-Shubow, President*