

the PENDULUM

THE OFFICIAL IN-HOUSE PUBLICATION OF THE NEWBURGH TEACHERS' ASSOCIATION



NTA

VOL. 48 NO.3
APRIL 2018

NEW CONTRACT OVERWHELMINGLY APPROVED

BY DARRELL KUHN

Newburgh Teachers Association members broadly supported a new contract that will give them a two percent raise for the next five years. NTA educators passed the new Memorandum of Agreement by a tally of 1,163-16 on December 20, 2017. The Newburgh Enlarged City School District accepted the agreement at its January 9, 2018 Board of Education meeting. The official lifespan of the new contract runs from July 1, 2017 until June 30, 2022. The new contract includes a Sixth Class Assignment. It states that at the secondary level, NTA members can volunteer to teach a sixth assignment, or, where members are lead teachers, a fifth assignment, and where applicable, such teachers will get relieved from their assigned

duties." Such volunteers shall be paid an additional \$6,000 per year (\$3,000 per semester) for such additional assignment," the contract states. "No department will have more than three teachers per semester teaching a sixth assignment (or in the case of a lead teacher, a fifth assignment). Probationary teachers, except for those employed at the Newburgh Free Academy West program who may be assigned to a sixth assignment, and be compensated as per above, will not be permitted to volunteer for or be assigned such additional assignment." According to the contract, the schedule at NFA West may fluctuate throughout the year provided that there is no increase in the number of hours or

*IF YOU COMPARE US
TO OTHER LOCAL
SCHOOL DISTRICTS,
WE ARE PAYING LESS
THAN MOST FOR
HEALTH INSURANCE,
AND WE GOT A LONG
TERM DEAL WITH A
RAISE EVERY YEAR."*

— STACY MORAN
NTA PRESIDENT

minutes per day and with the understanding that the start times shall not be prior to 7 a.m. and the work day shall not be scheduled to end after 5 p.m. Any change in the schedule will be preceded by two weeks notice to the employees." The (school district officials) may assign individual teachers at the NFA West program to six classes as part of their regular

INSIDE

- ▶ RIGHT-TO-WORK: WHAT'S THE DEAL? P.2
- ▶ YOUR UNION, YOUR PENSION: THE JANUS CASE P.3
- ▶ THE VOTE-COPE HONOR ROLL BACK COVER
- ▶ YOUR NEGOTIATION TEAM! BACK COVER

CONTINUED PAGE 2

NEW CONTRACT OVERWHELMINGLY APPROVED

FROM COVER

assignments," states the contract. "Where an NFA West teacher is assigned an advisory (101, 201,301, 401, etc.) such advisory will constitute a sixth class and be compensated as per (the Sixth Class Assignment)." As for the Newburgh Teachers' Center, the contract explains that the "district" will fund it at the annual rate of \$250,000 for the 2017-18 school year through the 2018-19 school year and at the annual rate of \$275,000 for the 2019-20 through the 2021-22 school years only in order to provide professional development to NTA educators through the governing body of the Teachers' Center. Any professional development training programs or courses offered for in-service compensation,

the contract states, is subject to final approval by the district's Deputy Superintendent. His or her approval decision regarding such courses and training programs offered through the Teachers' Center for in-service compensation purposes shall not be subject to grievance or arbitration. The contract also has a direct deposit requirement for NTA members' paychecks. "Effective the first payroll after the ratification of this agreement, all pay shall be made via direct deposit in up to three accounts as determined by the unit member," the contract explains. NTA President Stacy Moran praised the work of the union's negotiating team for the effort to help get this contract passed. The negotiating team consisted of NTA members Deborah Bouley, Jillian Caci, Moran, Matthew Scully, and Brenda Fry-Underhill. "I am very pleased with the results," Moran said. "If you compare us to other local school districts, we are paying less than most for health insurance, and we got a long term deal with a raise every year."

The new contract's full text is available on the NTA's website, www.newburghta.com

RIGHT-TO-WORK LIKELY COMING TO NEW YORK STATE

BY CAMILLE ALAIMO

Please do not take for granted the role you play in keeping your contract viable! It is imperative that union membership remains strong and united. Consequently, the Newburgh Teachers' Association is reaching out to you through a series of one-to-one conversations with a delegate or alternate to update you about the U.S. Supreme Court case of **Janus vs. AFSCME** which, unfortunately, is expected to pass.

The case involves Mark Janus, an employee of the Illinois Department of Healthcare Services. He is suing his union, the American Federation of State, County, and Municipal Employees, because he does not want to pay his fair share of dues while continuing to reap all of the union benefits. The case was initially filed by multi-millionaire Governor Bruce Rauner to attack public sector workers. In 2016, Rauner was found by the courts to have "no standing" to bring suit. The governor then "hired" Janus to re-file the case, which now stands before the highest court in the land.

Preceding all of this, in 1977, in the case of Abood, the Supreme Court determined that it is fair and reasonable to expect people who benefit from union representation to pay dues.

A ruling in favor of Janus means that public service employees could choose to quit paying union dues while still retaining all the benefits of union representation. Without dues, unions cannot afford to exist. Ultimately, this type of financial devastation could bankrupt the NTA. **The law says that if union membership falls below 51%, it**

CONTINUED NEXT PAGE

BUDGET SEASON IN FULL SWING

BY DARRELL KUHN

The Newburgh Enlarged City School District Board of Education is currently preparing the official spending document for the 2018-19 school year. Newburgh Teachers Association President Stacy Moran said that from what she has seen in this process so far, the school district will gain positions again. A BOE budget workshop meeting has been scheduled for April 10, 2018 at 7 p.m. at the board's Grand Street headquarters in the City of Newburgh. "The NTA wants the budget to fully finance the items that most closely affect student learning, such as personnel and resources for teachers to use in the classrooms, as well as resources that make schools safe and healthy for everyone," Moran said.



The Newburgh Teachers' Association Official Publication
New York State United Teachers
American Federation of Teachers
Local 2867, AFL-CIO
Founding Editor: John Wolner

52 Pierces Road
Newburgh, New York 12550
1.845.562.8120
(fax) 845.568.7905
(email) nta@hvc.ny.com
www.newburghta.org



Editor Darrell Kuhn
Writers Darrell Kuhn & Camille Alaimo
Design and Production Jeff Gebhardt

President Stacy Moran
Vice-President Matthew Scully
Secretary Jillian Caci
Treasurer Linda Vinti

Newburgh Teacher Center

Beverly Browne Fazio
Coordinator
CHESTNUT STREET SCHOOL
ntc@newburghtc.com
845.568.6719

HOURS:

MON 8am - 3:15pm
TUES 10:45am - 6pm
WED 8am - 3:15pm
THURS 7am-2:15pm
FRI 7am-2:15pm

must be dissolved. Without a contract, the following can occur: longer work days, no preps, unlimited number of classes to teach, no health insurance, no sick days, no personal days, no health insurance, no due process, and no recognition of seniority. Step and salary increases could be ignored, and the Annual Professional Performance Review could take any form without the opportunity to grieve. Another note of interest is that NTA dues are low, averaging approximately \$940 per year compared to surrounding school districts, which range from \$2,000 to \$4,000 per year.

A hard, uphill battle is expected. The opposition has produced numerous ads using emotional and heart-wrenching images of the elderly and the handicapped to propagate an opt-out message. The suggestion that unions pull funding from the most vulnerable in our society is further exploited by slogans such as "Would you abandon your parent?" and "Give yourself a raise, don't pay your union dues."

As *more states adopt* Right to Work (for less), the sharp decline in union membership continues to have devastating impacts on teacher and other civil servant salaries.

According to Angela Pace, New York State United Teachers Labor Relations Specialist, "It is fully expected that New York State will become a right to work state."

So **what can you do** in these *perilous times, when unions are* at risk of extinction?

"Pay your dues and give to VOTE/COPE," NTA President Stacy Moran said.

The NTA needs its membership if we are to continue. New rules require that every member re-enroll. The NTA will supply re-enrollment forms in quadruplicate, which will serve as "physical proof" that can be indisputably counted. As educators, we all know the importance of evidence and the fragility of relying on electronics. Help the NTA help you by recommitting to your membership as well as contributing to VOTE/COPE.



JILLIAN CACI AND THE JANUS CASE VS. AFSCME

Explained By Camille Alaimo

Do not get tricked by a campaign designed to turn people off to unions. Newburgh Teachers Association Secretary Jillian Caci is urging members to have awareness about this scam. "Don't be surprised if you get phone calls and see television advertisements telling you to give yourself a raise – drop your union membership," Caci explained. These advertisements, Caci said, are financed by millionaires who are interested in decentralizing labor unions. Without union protection, educators could work for lower pay with no salary schedule, which means different pay for different people. Educator preparation time within the school day is also at risk of elimination without union protection. Recent history has demonstrated the cascading effects of the Right to Work establishment in 28 states, where union labor contracts were expunged. "Union membership across the country has dropped by 50% in recent years, mostly due to the loss of manufacturing jobs," Caci explained. "Teacher unions are one of the last remaining union strongholds, and there are massive efforts underway to disband them." The U.S. Supreme Court is currently hearing the Janus vs. the American Federation of State, County, and Municipal Employees (AFSCME) case, and a decision is expected in June of 2018. Caci explained this case's timeline. In the Abood case of 1977, the U.S. Supreme Court determined that it is fair and reasonable for people to pay union dues if they receive union benefits. A union member can choose, however, to have the "political" portion of union dues subtracted, according to the results of this particular case. In New York State, union dues are

not used for political purposes. *That is why unionized educators have VOTE COPE. Union dues are automatically deducted from members' paychecks. Vote COPE contributions are not.* Presently, Mark Janus is the employee who filed a lawsuit against his union, the AFSCME. In his lawsuit, according to Caci, Janus claimed that all union dues are political and he should not have to pay union dues, even though he is receiving all of the union's benefits and protections. Caci said that the Janus Case, originally filed by multi-millionaire Bruce Rauner, was tossed out of the lower court because he had no standing. "After that, Janus signed on to carry out the lawsuit, which is likely funded by the millionaire," Caci said.

YOUR JANUS VISUAL PRIMER

This is Mark Janus
His lawsuit, Janus v. AFSCME, challenges a 1977 precedent – Abood v. Detroit Board of Education – that has allowed state and local governments to force employees to pay money to unions. Millions of government employees in 22 states must pay fees to a union whether they want to or not.

And these are the folks who will render the decision.
The Supreme Court has signaled it may be ready to overturn Abood. In fact, it nearly did just that in the 2015 case Friedrichs v. California Teachers Association, where California teacher Rebecca Friedrichs sued the teachers union at her school for collecting fees in violation of her First Amendment rights.
But the death of Justice Antonin Scalia in February 2016 led to a 4-4 split decision in Friedrichs. And the issue went unresolved in the nation's highest court – until now.

VOTE COPE Honor Roll



Thank you to the following Newburgh Teachers' Association members who give very generously to VOTE/COPE, the political action fund for the NTA and New York State United Teachers. VOTE/COPE contributions give us the political strength to combat threats to tenure, to the Triborough amendment to the Taylor Law (which ensures our collective bargaining rights), and to our pensions.

- | | |
|----------------------|-------------------------|
| Cynthia Bottali | Judy Le Roy |
| Irene Brown | Christopher Lucas |
| Beverly Browne Fazio | Riccardo Lucia |
| Jillian Caci | Margaret McCann |
| Laurie Colacchio | Christine McCartney |
| Maryann Corbett | Tasha Melita |
| Jennifer Costabile | Jason Michalek |
| Laura De Pace | Stacy Moran |
| Guy DuQuesnay | Rollain Muanda |
| Krista Espinoza | Goncalo Pinheiro |
| Carolyn Evans | Betty Rivera |
| Beth Glynn | Marisol Riverol |
| Michael Grammer | Karen Roberts |
| Janice Greenop | Lydia Rose |
| Nancy Guzman | Kimberly Sanders-Eachus |
| Sherri Hall | Awilda Schofield |
| Judith Hernandez | James Scott |
| Maria Teresa Hoyos | Matthew Scully |
| Daniel King | Susan Walsh |
| Jennifer Laudiero | Sarah Wojehowski |



For more information about VOTE/COPE and how to contribute, please contact NTA Vice President, Matt Scully at vp@newburghta.com

What is VOTE-COPE?

VOTE-COPE is the Committee on Political Education, the non-partisan political action arm of New York State United Teachers. Funded entirely by voluntary contributions from members, VOTE-COPE is used to help union-backed candidates and campaign committees that support education and labor.

VOTE-COPE helps strengthen political action programs on all levels — national, state and local. To help on the local level, VOTE-COPE provides rebates to participating unions for local political action.

VOTE-COPE funds, by law, are kept separate from those of NYSUT. Decisions on the use of VOTE-COPE contributions are made by a statewide committee.

VOTE-COPE solicits and accepts only voluntary contributions. Contributions or gifts to VOTE-COPE are not tax-deductible.



NEXT ISSUE: RETIREES HONOR ROLL!

your NEGOTIATION team



WE THANK YOU AND JOB WELL DONE!

The Newburgh Teachers' Association Contract Negotiating Team consisted of NTA President Stacy Moran, Vice-President Matthew Scully, Brenda Fry-Underhill, Deborah Bouley, Jennifer Laudiero and Jillian Caci. The team worked diligently and successfully negotiated a new five-year contract for NTA educators.



52 Pierces Road
Newburgh, New York 12550

