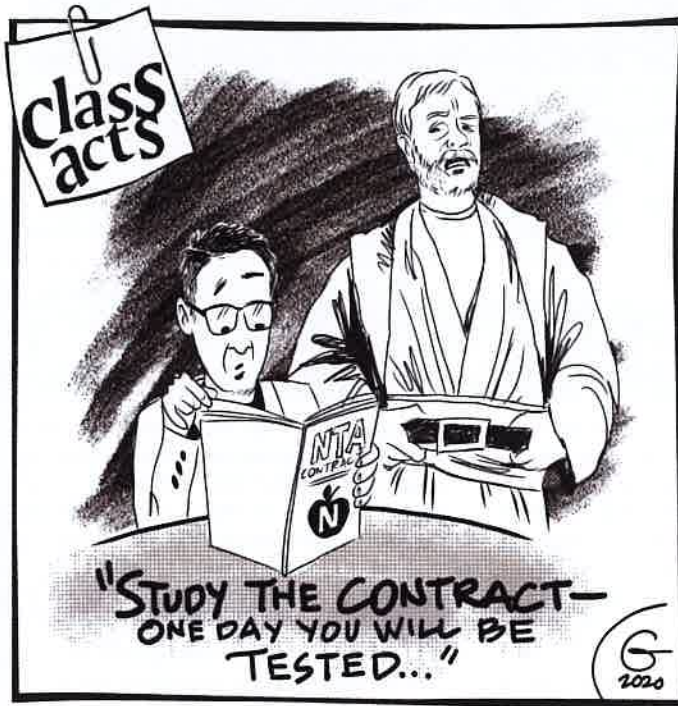




# Knowing When and How to Grieve

BY DARRELL KUHN



**I**t is the start of a brand new school year. A teacher walks into his assigned classroom and finds that he has no desk or filing cabinet. Another teacher reviews her schedule and learns she does not have adequate preparation time throughout the school day to plan her lessons and grade class assignments. When both of these teachers receive their first paycheck, they see that their pay is incorrect.

What should these educators do to have these wrongs corrected? Fortunately, Newburgh Teachers' Association members have the right to file a grievance for actions taken that violate their contract.

Teresa Cadden, the NTA's Elementary School Grievance co-chairperson, said the union must make sure that Newburgh Enlarged City School District administrators honor

an employee (an NTA member) in the bargaining unit that there has been as to him or her a violation, misinterpretation, or inequitable application of any of the provisions of this contract, or that he or she has been treated unfairly or inequitably by reason of any act or condition that is contrary to established policy or practice governing or affecting employees.

NTA President Stacy Moran said that a union member could grieve a number of inequities. For example, an active duty educator who was not interviewed for an open position that he or she is qualified for and to which he or she has asked to be voluntarily transferred can file a grievance. Having a too-large class size, not being provided the correct number of mentor

members' contractual rights. If these rights are not honored, Cadden said the union could lose them.

"I think the most important part of the grievance procedure is to know it is your right and to know your contract," said Cadden, who is a second grade teacher at the Meadow Hill School. "If we do not use the grievance procedure when the contract is not followed, we lose our ability to effectively bargain contractual issues."

According to the current contract between the NTA and the NECS, a grievance is defined as a complaint by

**FORTUNATELY, NEWBURGH TEACHERS' ASSOCIATION MEMBERS HAVE THE RIGHT TO FILE A GRIEVANCE FOR ACTIONS TAKEN THAT VIOLATE THEIR CONTRACT.**

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days, not having appropriate parking facilities, and not having an educators' lounge in each school building are other violations of the contract that can get grieved. Union members who have factually inaccurate material placed in his or her personnel file can file a grievance. Educators who face retaliation for participating in NTA activities can file a grievance as well.

"Grievances are brought against supervisors who are defined in the contract as administrators responsible for the area in which the alleged grievance arises," said Moran. "Any NTA member, including non-tenured members, can file a grievance. They are then protected by Article III, Section 3. G. of the contract."

Article III, Section 3 G. of the contract states, "No interference, coercion, restraint, discrimination, or reprisal of any kind will be taken by (the NECS Board of Education) or by any member of the administration against the aggrieved party, any party in interest, any representative, any member of the Grievance Committee or any other participant in the grievance procedure, or any other person by reason of such grievance or participation therein."

A grievance can have as many as four stages. For Stage 1, the contract states that an NTA member having a grievance "will discuss it with his or her supervisor (administrator), either directly or through a representative, with the objective of resolving the matter informally. If the grievance is not resolved informally, it should within five school days be reduced to writing and presented to



# NTA HOLDS FIRST RETIREE COFFEE TALK

BY CAMILLE ALAIMO

Coffee Talks offer opportunities for members to converse with others in their departments or discipline. They chat, relax, exchange ideas, and share concerns in an informal, relaxed setting. Coffee Talks are regularly scheduled by department, but any member can request one be scheduled. Retired Newburgh educators and the NTA Officers gathered for their first Coffee Talk at the Newburgh Teachers' Association headquarters on January 29, 2020. It was a wonderful opportunity for the retirees to catch up with each other with lively chatter of trips, new-found interests, and



RETIRED EDUCATORS GATHER AT THE NTA RETIREE COFFEE TALK IN THE NTA HEADQUARTERS AT 52 PIERCES ROAD IN THE CITY OF NEWBURGH. (PHOTO BY CAMILLE ALAIMO).

**RETIREES WERE REMINDED THAT THEY ARE NEEDED AS ACTIVE PARTICIPANTS IN OUR POLITICAL ADVOCACY LIKE PHONE BANKING AND OF COURSE AS VOTING MEMBERS OF THE NEWBURGH COMMUNITY.**

grandchildren amidst excited greetings, exuberant conversation, and appetizers.

The talk turned to local concerns, such as the NECSB Budget and BOE candidates. Retirees were reminded that they are needed as active participants in our political advocacy like phone banking and of course as voting members of the Newburgh community. Stacy Moran also reminded them how crucial retirees are to NTA activism. She

told them about a conversation she had with the President of the Rochester Teachers' Association. The RTA did an action on a Tuesday in Albany to fight the mid-year cuts to faculty that were being made. When Stacy asked how they were able to gather hundreds of members to go to the state capitol on a school day, the RTA President replied, "Our retirees."

Participants also expressed concern over the declining number of people entering the profession. Stacy addressed the challenges facing our teachers today. "The teacher shortage is a direct result of years of scapegoating our teachers and putting in place unfair systems like APPR while politicians do nothing to address real issues that affect achievement, such as homelessness and poverty."

One of the ways to combat this is through VOTE/COPE which is an important ve-

hicle for the NTA, not only for making our voices heard, but to push for good policymaking. Forty percent of the monies raised through VOTE/COPE (including contributions made by our retirees) comes back to the NTA and are used for actions revolving around BOE elections, disputes over the budget and/or contract negotiations.

As more and more NTA members join the ranks of our retirees, the newest members are urged to step up and become the voice for the future of the education profession. Unions are under attack, and retirees are vital in educating the younger generation about the struggles they faced and the history of our achievements as a union. In order to preserve our contract, our professionalism, and our union, we need everyone's advocacy, and fortunately for the NTA, our retirees are ready and willing to help.



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WED 7am - 2:15pm  
THURS 10:45am - 6pm  
FRI 7am-2:15pm



# UNION MEMBERS GATHER IN SOLIDARITY

BY DARRELL KUHN

It started two years ago. Newburgh Teachers' Association members had just ratified their new contract with the Newburgh Enlarged City School District. A celebration was necessary. Now this celebration has become an annual tradition.

The 2020 Solidarity Celebration was held at the Youngest Brother restaurant in the City of Newburgh on Friday, February 7, 2020. Approximately 130 NTA members attended the party, which ran from 3 p.m. until 7 p.m.

Danean Rodriguez, the NTA's Special Events Coordinator, said the party is all about promoting solidarity within the union. She said it is an NTA-funded event that includes music from disc jockey Manuel Batista, a teacher at the Temple Hill School, and dinner for all attendees. It is open to all full-time NTA members and retirees.

"It's great to see members from all (NECSD) buildings come together for this," Rodriguez, who is a sixth and seventh grade math teacher at the Temple Hill School, said. "This is a great way to boost morale."

Retiree Marlayna Pritchard attended the Solidarity Celebration to spend time with current and retired NTA members.

"It's great to see everybody here," said Pritchard.

Newburgh Free Academy Main Campus Math Teacher Bob Condosta agreed.

"This is a great event," said Condosta. "It's an opportunity to get together with colleagues and chill."

NTA President Stacy Moran said the union has a 100% membership rate. She believes that this is a direct result of the NTA's commitment to inclusiveness, and they came together to celebrate that.



NTA PRESIDENT STACY MORAN, LEFT, ENJOYS A LAUGH WITH NFA MAIN CAMPUS MATH TEACHER BOB CONDOSTA, RIGHT, DURING THE SOLIDARITY CELEBRATION. RETIREE MARLAYNA PRITCHARD, CENTER, LOOKS ON IN THE BACKGROUND.



NFA MAIN CAMPUS TEACHERS MIKE MARTIN (LEFT) AND SHAWN LEO CATCH UP ON SOME CONVERSATION AT THE SOLIDARITY CELEBRATION.



NTA RETIREE BILL WAY (LEFT), WHO TAUGHT AT HERITAGE MIDDLE SCHOOL, SPENDS TIME WITH CURRENT NFA MAIN CAMPUS MATH TEACHER KEITH SCHAFER (RIGHT) AT THE SOLIDARITY CELEBRATION HELD AT THE YOUNGEST BROTHER RESTAURANT.

(PHOTOS BY DARRELL KUHN)

## Knowing When and How to Grieve

FROM COVER

the supervisor. Within five school days after the written grievance is presented to him or her, the supervisor shall render a decision in writing and present it to the educator."

**According to the contract, an educator can take the grievance to Stage 2 if he or she "is not satisfied with the written decision at the conclusion of Stage 1 and wishes to proceed further under this grievance procedure, the educator shall within five school days present the grievance to the NTA's Grievance Committee for its consideration or a written approval, then within 15 school days it is sent to the (Superintendent of Schools). Within 10 school days after the receipt of this appeal, the (Superintendent of Schools) or his or her duly authorized representative shall hold a hearing with the educator or the educator and the NTA Grievance Committee or its representative and all other parties in interest. The (Superintendent of Schools) shall render a decision in writing to the educator, the NTA Grievance Committee, and its representative within 10 school days after the conclusion of the hearing."**

**At Stage 3, a grievance moves to the Board of Education. The contract states that if the educator and the NTA are not satisfied with the Stage 2 decision, the educator or the Grievance Committee will "file an appeal in writing with the Board of Education within 15 school days after receiving the decision at Stage 2,**

The official grievance record maintained by the (Superintendent of Schools) shall be available for the use of the Board of Education. Within 10 school days after receipt of any appeal, a committee of three or more Board of Education members shall hold a hearing on the grievance. The hearing shall be conducted in executive session. Within 10 school days after the conclusion of the hearing, the Board of Education shall render a decision in writing on the grievance."

**Stage 4 would go to arbitration. According to the contract, "if the aggrieved person is not satisfied with the disposition of his or her grievance, the NTA, at the NTA's sole discretion, may submit the grievance to arbitration by written notice to NECSD officials within 10 school days of receipt of the decision rendered at Stage 3. Within 10 school days after such written notice of submission to arbitration, the parties seeking arbitration shall notify the American Arbitration Association (AAA) in writing to submit a list of arbitrators to the parties, and (NECSD officials) and the NTA shall be bound by the rules of the AAA. The arbitrator shall limit his or her decision strictly to the application and interpretation of the provisions of this agreement (contract). The decision of the arbitrator, if made in accordance with his or her jurisdiction and authority under this (contract), will be accepted as final by the parties to the dispute and both will abide by it. The costs for the services of the arbitrator,**

including expenses, if any, will be borne jointly by the parties submitting to arbitration. The party requesting an official transcript of the arbitration hearing shall be required to pay for the transcript."

Cadden said she fully researches every grievance that comes before her.

"First, I do my best to make sure there is a contractual or (Board of Education) policy violation," said Cadden. "Then I would make sure that the NTA member has completed the Stage 1, where he or she simply tries to handle the matter himself or herself. A member can utilize the help of his or her head delegate if there is uncertainty about what to do. If at that point the violation has not been rectified, I would tell the NTA member to file a grievance."

**For more information about grievances, read the contract. The contract is available to view on the NTA's website,**

[www.newburghta.com](http://www.newburghta.com)







# NTA SPOTLIGHT

BY CAMILLE ALAIMO



**M**eet Ashley Myers. You may recognize her name from NTA emails. You may know her as the friendly voice at the other end of the phone, or the greeter at NTA events. Ashley's official title is Office Administrator for the Newburgh Teachers' Association. On any given day at the NTA, Ashley is attending to the many membership inquiries, generating correspondence, maintaining files, organizing events, sending out flyers, creating spread sheets, and stuffing lots of envelopes. Ashley may work behind-the-scenes, but everything

she does has a huge impact on the members of the NTA.

Prior to obtaining her Associates in Office Technology, Ashley worked as a waitress in her brother-in-law's pizzeria for 10 years. She joined the NTA team in 2015. Ashley's major goal when seeking employment was to help people. She enjoys organizing, making her a perfect fit for attending to the needs of the 2500 teachers teaching assistants, substitutes, and retirees in the NTA. When asked what her least favorite part of the job is, she said there's nothing she dislikes doing.

Ashley grew up in a union family. She remembers her grandfather standing up for workers' rights. As a shop steward, he believed that, without unions, the country would fall apart. Ashley says, "My grandfather came from a time when people were more appreciative of unions. Back then, unions meant everything to American families. Unfortunately, people today take it all for granted because it is all they've ever known. I remember he always wore his union jacket well after retirement. He thought his union was the best thing." Ashley believes that all workplaces should have unions.

*ASHLEY GREW UP IN A UNION FAMILY. SHE REMEMBERS HER GRANDFATHER STANDING UP FOR WORKERS' RIGHTS.*

At the the end of the work day Ashley is greeted by her two rescue chihuahuas, Apache and Ziggy. Humor and laughter is important to Ashley and her husband, and they frequently attend comedy clubs.

Regarding her boss, Ashley says, "There are never any issues. Stacy is easy to work for. We are both very organized and like things a certain way." Says Stacy, "The NTA is very lucky to have Ashley. She is a one in a million."

she does has a huge impact on the members of the NTA.

## MANAGING BEING MADE A CASE MANAGER

BY CAMILLE ALAIMO

Over the last year, secondary special education educators were directed by Newburgh Enlarged City School District officials to complete oppressively time consuming tasks in addition to their current day-to-day responsibilities.

Recently a document called The Case Manager Manual increased special education teachers' already substantial workload. NECSO officials added significantly to the teachers' workday without allocating time for them to complete these new tasks. Expecting these Newburgh Teachers' Association members, who work with the most vulnerable students throughout the school district, to perform this extra work with no extra time is unfair. The NTA demanded to bargain the impact of this directive immediately.

In addition to their regular duties, secondary special education teachers are now expected to fix schedules of students who are misplaced, reschedule students within a week, advise students on credits, career and technical education pathways, Regents exams, career options, and construct social-emotional supports. Special education teachers are also expected to attend up to eight content-area meetings per month per student and are responsible for setting up a "transition" plan regarding future goals with students and their parents.

After a year of good faith bargaining, when the NTA fought for adequate time for members to complete these tasks, a Supplemental Memorandum of Agreement (SMOA) regarding the impact of these new duties was signed by NTA President Stacy Moran and NECSO Superintendent of Schools Dr. Roberto Padilla. At the November 26, 2019 BOE meeting, the SMOA was voted down by the NECSO Board of Education. In response, a letter, written by Moran and signed by 350 NTA members, was sent to the BOE asking them to vote to approve the agreement.

To support this effort, NTA members attended the January 28, 2020 BOE meeting, where Moran asked the BOE to reverse their decision and show that they respect the special education teachers' professionalism and value their efforts on behalf of the children of Newburgh. At a meeting the next day, a new SMOA was signed that ensures that the NTA members affected by the Case Manager Manual will have the necessary release time for the next three years (when it can be negotiated after the current contract expires if the new tasks contained in the Case Manager Manual are still mandated).