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Solidarity!

Bargaining Begins Today

MTI and the District will exchange bargaining proposals at 10:00 this morning, and negotiations for the 2009-11 Teacher Contract will get underway at 1:00 p.m.

MTI's proposal consists primarily of the priorities established by Union members in response to last fall's



bargaining survey. A comparative analysis of the Union's and the District's proposals will be provided each MTI member, and an overview of each bargaining session will be provided to those who email the Union advising that they wish to receive same



(MTI@madisonteachers.org). Both publications will be posted on MTI's website (www.madisonteachers.org).

As your Bargaining Team seeks to achieve your proposals, show support by wearing the Union's new button "I AM MTI". Your MTI Bargaining Team is Chair **Bob Arnold** (Lowell), **Nancy Curtin** (Crestwood), **Peggy Coyne** (Black Hawk), **Holly Hansen** (Early Childhood/Elvehjem), **David Irwin** (West), MTI President **Steve Pike** (West), MTI Assistant Director **Doug Keillor**, and MTI Executive Director **John Matthews**.



The District will be represented by Wisconsin Association of School Boards' Attorney Robert Butler, Asst. Superintendent for elementary Schools Sue Abplanalp, Asst. Superintendent for Secondary Schools Pam Nash, Asst. Superintendent for Business Services Erik Kass, and Superintendent Dan Nerad.

Important Reminder Teacher Contracts Due April 15

The District has issued individual teacher contracts for the 2009-10 school year. **MTI recommends that teachers return their signed contracts, AS SOON AS POSSIBLE**, to the District Office of Human Resources in person to assure that it is received on time. Take your copy with you and ask that it be stamped "received". **Failure to return a signed contract by April 15 will result in the District accepting such as one's resignation.**

Elementary Planning Time

Action by Elvehjem teachers provided the District with impetus to seriously seek resolution to the dispute over contractually guaranteed planning time.

The MTI/MMSD Teacher Collective Bargaining Agreement **guarantees elementary classroom teachers 5.5 hours per week, within the school day, for planning time. One of those hours is to be during the contractually provided Monday early release of students; i.e. there is NO question that the Contract provides 5.5 hours per week, and that one of the hours is provided by the early Monday release.** The Contract reads, "In addition to the hour of planning time provided by early dismissal on Mondays"

While MTI has been trying to correct principals abusing teachers' planning time, the action by Elvehjem teachers has provided the biggest boost for management to discuss with the Union the need for resolution. After warning **Elvehjem Principal Craig Campbell** that his monthly staff meeting was cutting into their planning time, AND his rebuffing of that warning, Elvehjem staff left the meeting to continue their lesson plans and curriculum work.

Supt. Dan Nerad recently told MTI Executive Director John Matthews that he agrees that the Contract provides 5.5 hours of planning time per week and that the matter needs prompt resolution.

In response to Emerson teachers discussing plans to follow Elvehjem's lead, **principal Karen Kepler said she would cut back her staff meetings to assure teachers one-hour of planning time during the Monday early release.**

Thinking About a Transfer?

The District Department of Human Resources has advised MTI that the **initial posting of vacant teacher positions** will occur immediately after spring break, beginning today and running through Friday. Postings may be seen in school offices, lounges and on the District's website www.madison.k12.wi.us. See the MTI/MMSD Contract, Section IV-F, for information on the transfer process.

MTI Delegates Needed to WEAC Representative Assembly

MTI is entitled to 51 delegates to the WEAC Representative Assembly, WEAC's policymaking body. The Representative Assembly is being held in LaCrosse, April 24-26. Please consider serving as a delegate. MTI's Bylaws call for its delegation to be at least 10% members of minority groups. **MTI teacher bargaining unit members who are interested in serving as a delegate should contact MTI by April 17 (257-0491/bernardsv@madisonteachers.org).**

What Does it Mean to be Declared “Surplus”?

This is the time of year during which some teachers receive notice that they have been “*declared surplus*”. **While being declared surplus from one’s position can be stressful, the stress is heightened when ones confuses the terms “surplus” with “layoff”.** These two provisions of the MTI/MMSD Collective Bargaining Agreement are separate and distinct with far different implications for the individual. Both are defined in Section IV-O of the Contract (page 51).

A teacher who has been declared “surplus” is defined in the MTI/MMSD Collective Bargaining Agreement as any teacher presently teaching under a regular full time or regular part-time contract who has been declared by their principal to be above staff requirements for the ensuing school year or semester at their school. Simply stated, a “*surplus teacher*” is **considered to be no longer needed in the school in which they currently teach but is needed to teach elsewhere in the District.** By contrast, a teacher who is issued notice of **layoff is considered to be no longer needed to teach in the District because they are above staff requirements for the District.**

Issuing declarations of surplus is a two-step process which, in accordance with the terms and conditions of the Contract, must begin with the **principal first requesting volunteers.** The purpose of requesting volunteers is to give teachers, who would otherwise not be declared surplus, an opportunity to change their assignment using the surplus/reassignment procedure. *The principal does not have to accept the volunteer as surplus if the teacher volunteering to be surplus would result in the remaining teachers at the building not being certified to teach the remaining assignments at the school.* If there are no volunteers, or if there are an insufficient number of volunteers, then the principal must declare the teacher(s) surplus using the procedure set forth in Sections IV-O-2 & 3 of the Collective Bargaining Agreement as follows:

Elementary and Middle Schools: Inverse order of seniority among those teachers in the school, except “where the instructional requirements of the school are disrupted.” (*An example of disruption to the instructional program would be where declaring the least senior teacher surplus would leave the remaining staff uncertified to teach the remaining assignments.*)

After declaring surplus in the elementary or middle school, a principal may need to make necessary adjustments in assignments within the school. The principal may do this provided he or she “duly considers” the prior experience and certification of the remaining school staff.

High Schools: Based on certification and the **inverse order of seniority** among those teachers **within a department.**

Seniority, another topic of frequent misunderstanding, is **defined as how long one has been employed as a teacher in the MMSD commencing with the first day worked** under contract followed by continuous service (see Section IV-O-1 of the Collective Bargaining Agreement). There is no such thing as “building seniority”. One’s seniority in the district is used to compare to others in the building as regards surplus and to compare to others in the District as regards layoff. See Contract Section IV-O for additional criteria.

Educational Assistants - Section IV-I of the EA-MTI Contract outlines the procedure which the District must follow regarding the “**Reduction in Work Hours-Surplus**” of educational assistants. According to this Contract Section, full-time EAs (those assigned 19 hours or more per week) are placed in the full-time surplus pool and part-time EAs (those assigned less than 19 hours per week) are placed in the part-time surplus pool. EAs in the respective pools are then assigned to vacancies according to their specified preferences for positions for which they are qualified and/or certified. **The Contract mandates that full-time EAs must be assigned to positions which maintain their full-time status and that the District must make every reasonable effort** to assign all EAs declared surplus to positions of at least the same number of hours which they held previously. This is the process utilized for reassigning EAs from one school to another, as a result of insufficient enrollment or funds, to continue staffing at the current level. If there are not sufficient vacancies in the District to reassign all of the EAs declared surplus, layoffs may occur. The layoff procedure is governed by Section IV-K of the EA-MTI Contract. Layoffs occur based on inverse seniority, meaning the last hired is the first to be laid off.

Clerical-Technical Employees - Section IV-G of the SEE-MTI Contract outlines the procedure to be followed regarding the “**Surplus, Layoff and Recall**” of clerical and technical employees. According to this Contract provision, **the employee declared surplus may either:** 1) *assume a vacant position* for which he/she is qualified; or 2) **bump the least senior employee** in the District in a position for which he/she is qualified in a pay grade equal to the grade currently held and of comparable work year (i.e. 12 month, 10 month, 9 month, full-time, at least 19 hours, less than 19 hours). For example, a full-time 10-month employee in Grade 6 could bump the least senior full-time, 10-month, Grade 6 employee in the District. The employee bumped would then have the option to assume a vacant position or bump the least senior employee in the District (in a pay grade equal to or lower) provided he/she is qualified for the position. **If there are not sufficient vacancies, a layoff may then occur.** Similar to the EA unit, **being declared surplus in the SEE unit is NOT the equivalent of a layoff.** However, layoffs could occur after the surplus reassignment process should there not be enough vacancies to accommodate the number of employees.

Calendar of Events

- **Thursday, April 16, 9:00 a.m.,** MTI Teacher Negotiations
- **Monday, April 20, 4:15 p.m.,** MTI MTI WEAC Delegates Meeting
- **Monday, April 20, 5:15 p.m.,** MTI MTI Board of Directors
- **Tuesday, April 21, 4:15 p.m.,** SCFL MTI Faculty Representative Council & MTI Joint Fiscal Group

Our Union Makes Us Strong!

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MTI’s web page - www.madisonteachers.org

MTI’s email - MTI@madisonteachers.org