

2011-2013
Nwta
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Secretary
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Treasurer
Ext. 1506 (SHS)

**Welcome
back!**

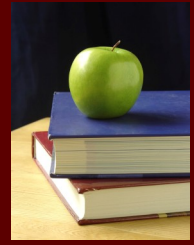
**This year is
certainly
marked by
changes and
challenges
that few of us
have faced
before.**

**We must
persevere.**

**We must be
informed.**

**We must stand
united.**

The Agenda



VOLUME 38, ISSUE 1

SEPTEMBER 2011

Wit and Wisdom... *information is key*



Kevin Rustowicz,
President

This summer, I called a planning meeting with our current Board of Directors. Our past president, Fig, generously allowed us the use of her home. (Thanks, Fig!)

I felt that now, more than ever before, it is important to stay together. In our meeting, the topic of communication came up. We came to a consensus that in order to keep everyone informed of the current issues, the union needs to be more open and therefore—we ARE going to be more open.

In order to accomplish this, we will continue to put our Board of Directors meeting minutes on website as we always have. I'd like to encourage each of you to visit our site frequently. I have also asked that the building reps continue to hold Nwta informational sessions after building faculty meetings. The major responsibility of faculty as members of our local is to know what's going on. I will send the reps a weekly 5-bullet summary of any relevant union information and have asked that the reps share

this information with the faculty.

I want to remind each of you that you CAN get involved with our union. It should be a priority. You don't have to be a building rep or an officer, but you should consider doing the follow:

- Get involved in voting in your local, state, and national elections if you are eligible.
- Register to vote if you're not registered.
- Take part in NYSUT activities.
- Visit our Nwta and NYSUT website.
- Advocate for our profession and make others aware of our positive impact on the lives of children.

This coming year will certainly be one filled with unknowns. The budget crisis has not minimized. In order to further the idea of communication, however, we have opened dialogue with both the district administration and the current board of edu-

cation in consultation with our Labor Relations Specialist. We've also been invited to work with the board on the upcoming budget. At least one officer attends the board of education meetings each month, as well.

There is no doubt, though, that coupled with contract negotiations, these are going to be difficult times. We all have to be aware that things can and will change. Some of these changes will be difficult. Each of you has the responsibility to stay informed and apprised of the things facing our local and our school district.

As I said before, there are ways you can be active without a major cost to you. I wish I had better news, but at this point, nothing is certain. Through your active involvement and by keeping informed, hopefully you will know what your plight might be.

Yours in solidarity,

Rusto

From where I stand... *replaceable*



Darla Bubar, Editor

This summer gave me time to reflect on all that is transpiring around us as a union. It did not, however, give me time to relax. There were still phone calls, emails, and text messages to answer. There were still meetings to attend and questions to ponder. There were still checks to sign and bills to pay. The realization that this is a 12-month job weighed heavily at times so I can only imagine what it must have felt like to be Rusto.

I did have some time to talk to colleagues about where we've been and where we might be headed. I got what appeared to be good news as well. It seems that many who felt they'd lost everything at the end of last year have found a new hope this year because they've been reemployed either at N-W or elsewhere. I'd like to believe its because we never stopped working as a union. And in learning that our efforts worked, I am both happy and a little forlorn because of the uncertainty that lies ahead.

In life, there are no guarantees. There is only chance. Sure, one can plan and have goals, but in the end someone else is often making the decisions for us or influencing them at the very least. People have their own agendas - it comes with the beauty of free will. Ulterior motives influence our actions and in turn,

these can have lasting and sometimes devastating effects. Spur of the moment choices can lead to consequences, whether positive or negative, that can last a lifetime. Bad things happen to good people. Everyone is replaceable. And - depending on the situation and circumstances that surround us, we are apt to choose the path of least resistance. If you can't beat 'em, join 'em, right? We hurt people - sometimes without ever realizing it, and lose them forever. We forge relationships, sometimes for all the wrong reasons. We persevere because the alternative isn't an option.

And I'm certain, if you're reading this, you're wondering why my tone has changed and just where I'm taking this conjecture. The simple truth is - I don't know. Our contract ends next June 30. Negotiating could be difficult in these uncertain financial times. We might look in the same faces (and even more) at the end of the year with the same message we had last year, "I'm sorry you lost your job." And then, just like last year, I'll be putting together lay-off folders and asking for the millionth time, "Did you check the seniority list to make sure it's right?" It will seem then that all we've worked to gain was for naught. That is the part of this job that keeps me up at night. One step forward, two steps back. Perhaps you say, "Why worry so much? It's not worth it. Look on the

bright side."

To you I respond, "Really?" Tell that to the people who call, email, and text over the summer. Those who feel even a little slighted because it appears that we work harder for some than others; or those who don't understand why things seem to work out for some, but not all. Tell that to the few who didn't get a job or didn't the answer they'd fought so hard for.

And then tell it to them when they cry to you or yell at you and blame you for their misfortune because in hard times, we often let our emotions dictate our behavior. "Don't worry," you say? Yeah, right. Remember, everyone's replaceable - including YOU! And so I leave you with these words and hope that you understand why, even in our darkest hour, we must keep fighting...

The minute you think of giving up, think of the reason you held on so long.

~Darla



Perhaps you say, "Why worry so much? It's not worth it. Look on the bright side."

To you I respond, "Really?"



IMPORTANT DATES TO REMEMBER:

Making Strides Against Breast Cancer Walk Sunday, October 2, 2011



CHECK your paycheck

Formula based on last year's contributed by Carol Guariglia, Payroll

Regular Pay (based on 22 checks)

Contract amount ÷ 22 checks + gross pay X .20 (2 days) = amount of FIRST pay 9/2/11

Contract amount — FIRST pay ÷ 21 = amount of regular pay for 2nd pay through 21st pay

Balloon Pay (based on 26 checks)

Contract amount ÷ 26 checks = gross pay X .20 (2 days) = amount of FIRST pay 9/2/11

Contract amount — FIRST pay ÷ 25.80 = amount of regular pay for 2nd pay through 21st pay

Balloon payment = regular pay X 5.80

Last pay for teachers is a full pay or balloon pay if you chose this option and will occur on 6/22/12.

Check YOUR paycheck and call Carol Guariglia if you have a discrepancy!



Check out the NYSUT website at www.nysut.org where you'll find the latest information on the APPR, Jobs Act Bill, and much, much more!

Contract connection

Here's your chance to win a \$10 gift card from your choice of either Starbucks, Tim Horton's, or Dunkin Donuts!

Decide if the following scenario is a **grievance** based on our current contract language.

Betsy Books was recalled over the summer to a 1.0 FTE position after being laid off in June. Later, she was told by district that her job

status was changing to LTS and that a less senior person was being recalled to the 1.0 FTE position. Betsy was confused.

She called the union president for advice.

Is this a grievance?

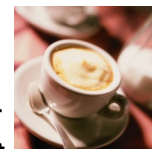
In order to be eligible, you must cite the article, section and page number from our current contract that you used as evidence in

your entry.

Please email Darla Bubar with your answer. Winners be selected from all eligible contest entries. Good luck!

Congrats to our last three winners...

Rene Brock, Dana Liberta & Joanna Torreano



Let TripMark.travel be your one-stop travel shop!

- 1) Do you have plans to take a vacation with your loved ones this fall?
- 2) Looking to book a fantastic getaway to a beautiful international destination?
- 3) Would you like an easy to use travel site that can help you effortlessly book flights, hotels, vacation packages, car rentals and cruises for personal and business travel needs?

If you answered "yes" to any of these questions, the NYSUT Member Benefits Corporation-endorsed discount travel program offered by TripMark.travel could help make planning your next trip a breeze. Take advantage of one-stop shopping for all your travel needs: reserve hotels, flights, cruises, car rentals and vacation packages; browse destinations; plan road trips; or book group travel.

Online security

TripMark offers a simple online interface and advanced encryption technology that ensures that your personal information is kept safe and secure as you plan your next trip.

Helpful suggestions

To assist with your planning, TripMark also offers a variety of destination guides – offering recommendations for top-rated attractions, restaurants and hotels along with general information about thousands of destinations. Thinking about planning a road trip, but not sure where to go? TripMark's website offers you many options, anywhere from one hour to six hours

TripMark.travel is a NYSUT Member Benefits Corporation (Member Benefits)-endorsed program. Member Benefits has an endorsement arrangement of 25% of net revenue for this program. All such payments to Member Benefits are used solely to defray the costs of administering its various programs and, where appropriate, to enhance them. Member Benefits acts as your advocate; please contact Member Benefits at 800-626-8101 if you experience a problem with any endorsed program. Agency fee payers to NYSUT are eligible to participate in NYSUT Member Benefits-endorsed programs.

away from a specified zip code, in any direction you choose. You can then search for hotels in the area that you select.

Strength in numbers

TripMark can even help you with group travel. Whether you're planning a family reunion or vacationing with friends, get assistance and best available deals from the helpful folks at TripMark. For group travel only, get the process started online

by visiting the TripMark page on the Member Benefits website and following the directions listed. There is a different toll-free number dedicated solely to group travel as well as a discount code to use for booking group travel.

Speak with a real person

Would you feel more comfortable speaking to a travel agent on the phone rather than booking online? TripMark's knowledgeable agents

are available toll-free, Monday through Friday, from 8:30 a.m. to 7 p.m. to assist with your travel planning. Please note that travel agents cannot currently book airline flights if you arrange your trip through one of TripMark's agents; you can either book flights online or contact the airline directly.

What to do first

To get started with TripMark, visit memberbenefit.nysut.org and click on "TripMark.travel" in the Featured Discounts section of the homepage. There, you'll find toll-free numbers for reservations, cruises and group travel, as well as a link to a NYSUT member-specific TripMark website. You can also contact Member Benefits at 800-626-8101 with any questions.



NWTA building rep elections to be held

In the coming weeks, each of you will have the opportunity to run for building rep. Building reps act as a liaison between the membership, the NWTA officers, and the building level and district administration. Building reps are familiar with cur-

rent issues, contract related issues, and have a pulse on the morale and overall atmosphere in each building. Building reps also have the opportunity to attend various NYSUT sponsored workshops and functions to enhance their knowledge of

NYS laws, union politics, and educational issues. If you'd like to run for building rep, please see the elections committee chairperson in your building.

We are currently having a **SCHOLARSHIP FUND DRIVE!**

Please consider payroll deduction (beginning this September with your first full pay).

If every member gives just \$1.00 per paycheck, our scholarship fund will be replenished for years to come!

Contact Kevin Schucker, Treasurer, for a payroll deduction form or see a building rep!



Ladies... please remember

to do your monthly self-exam and to schedule your annual mammogram!

Job bill 'a shot in the arm for districts and communities'

NYSUT Leader Briefing President Obama introduced his \$400 billion American Jobs Act Thursday including a significant commitment (\$60 billion) to rehire teachers who have been laid off and to rehabilitate school buildings nationwide.

The President demanded that Congress pass the bill that would create more jobs for veterans, construction workers and teachers.

"President Obama's American Jobs Act is a shot in the arm for school districts and communities suffering from massive state budget cuts and a brutal property tax cap," said NYSUT President Dick Iannuzzi. "If it passes, states will be able to restore positions eliminated because of massive state aid cuts and create new positions that will put teachers back to work. Our congressional delegation must work to pass this bill ASAP -- and we

must fight to ensure that our state leaders maintain state aid and not merely cut it by an amount equivalent to the new federal aid."

The administration's plan calls for renovating 35,000 school buildings and putting as many as 280,000 teachers back in classrooms. NYSUT has posted a [Web letter](#) for members to send to representatives in Congress, urging them to support the measure. The NEA also has a [letter](#) posted for members to send.


Other highlights of the Jobs Act:

- President Obama told the joint session of Congress, "I reject the idea that we have to strip away collective bargaining rights to compete in a global economy."
- The plan cuts payroll taxes in half for working families and small business owners, starting next year;

it expands the tax cut already passed for FY 2011 for middle class families.

- It provides extra tax credits for companies hiring American veterans and a \$400,000 tax credit for hiring anyone who has been unemployed for more than six months.
- The bill extends unemployment insurance for another year.
- The President said the plan will not add to the deficit; it increases the amount the "Super Committee" must cut by an additional \$400 billion.
- He promised "adjustments to health care plans like Medicare and Medicaid," and he proposed changes in the tax code so that "everyone pays their fair share."

One week from Monday the President will unveil a larger deficit plan.

A photograph of a forest with tall, thin trees. Sunlight is streaming through the canopy, creating a bright starburst effect in the upper center. The ground is covered in green grass and some fallen leaves.

Don't hike alone
let us help you with the
CHALLENGES WE ALL FACE

Call NYSUT Social Services
at 800-342-9810 ext. 6206

Free • Confidential • Responsive

Time to be TECH savvy in 2011

Maggie Benk,
ETMS Rep

Recently teachers have faced greater scrutiny by politicians and the public. Given this atmosphere, school districts have begun to police their employees in new ways.

A recent trend, according to NYSUT Labor Relations Specialist Ron Jaros, is to pursue action against employees violating the acceptable use technology policy. In the past districts

sought action against teachers viewing inappropriate or pornographic sites. However now they are perusing actions against teachers who use the school computer for personal business during their teaching or supervisory periods. Districts are saying it is "theft of services" to use the computer in this manner.

Arbitrators have upheld the districts right to seek remedies such as repayment for the time

spent on the sites and in some cases suspension without pay. Jaros's advice is stay off the computer unless it is directly related to teaching. Remember it is the district's computer and they know when you are on and what you are viewing. Better safe than sorry.

Please remember to report any name or address changes to our membership Chair, Andy Zwelling, to avoid duplicate enrollment and dues overpayment.

NYSUT scores victory in APPR suit

NYSUT Leader Briefing
August 25, 2011

The state Supreme Court in Albany County limited the use of standardized state test scores in teacher evaluation, a key claim raised by NYSUT in its lawsuit against SED and the Board of Regents. In a published statement following release of the court's decision, NYSUT's Dick Iannuzzi said, "We are pleased the judge has upheld the statute as NYSUT interprets it. Today's ruling is good for students and teachers."

NYSUT sued over changes to portions of the APPR regulations adopted this year that conflict with the new APPR legislation, which was developed jointly by NYSUT and SED and enacted in 2010. President Iannuzzi called the decision by

State Supreme Court Justice Michael Lynch a significant victory, upholding the value of collective bargaining and the input of practitioners.

"This decision affirms our position that teachers must be a part of developing a fair, meaningful evaluation that will impact student learning," said NYSUT Vice President Maria Neira.

The court's 15-page decision clearly upholds NYSUT's interpretation of the statute. In a strongly worded decision, the court said, "The (Board) of Regents is unquestionably invested with broad rule-making authority concerning the State's educational system, but such authority must be exercised subject to and in conformity with the law of the state."

The court also said, "The theme throughout 3012-c is that except for the first 20 percent category ... the remaining 80

points must be established through collective bargaining."

In its press statement, SED has indicated it plans to appeal or possibly seek further legislation.

Iannuzzi, in his statement, reaffirmed the union's commitment to the APPR process and reinforced NYSUT's expectation that SED will be at the table to proceed with the implementation of APPR in accordance with the court's ruling and the law we jointly developed.

The complete court decision can be found on our NWSA website under the APPR link.

Three Time Award Winning Newsletter of
the Niagara Wheatfield Teachers Association

NWTA
2292 Saunders Settlement Road
Sanborn, New York 14132

If you'd like to contribute an article,
photo, or ad, please contact Darla
Bubar at dbubar@nwcsd.org.

*We stand united... we stand for
education*



We are pleased that our history dates back to 1971 when the New York State Teachers Association certified our union. Today we are proudly affiliated with the New York State United Teachers (NYSUT) and The American Federation of Teachers (AFT). We are also honored to be a part of The American Federation of Labor and the Congress of Industrial Organizations (AFL-CIO).

What's good on the bookshelves

In The Garden of Beasts by Erik Larson
The setting is 1933 and 1934 Germany. The story revolves around the U.S. Ambassador Dodd and his family. The differing perceptions of Hitler are quite amazing. Most thought he would fade from power. The evolving perceptions of the Dodd family and the U.S. State Department are quite fascinating. Well researched and well written, it shows us that the understand-



ing of events can truly be influenced by what one wants to believe rather than the reality before us.

The Rembrandt Affair by Daniel Silva
Now for some lighter reading. Lots of action connected to a stolen painting and the secret that it holds. Fun to read.

Thanks for reading!

~Charles J. Donner, Retiree Class of 2010



Any views expressed in editorials or in opinion-type articles of this newsletter are solely the viewpoints of the individuals themselves and do not necessarily reflect the viewpoints of the NWTA at large.