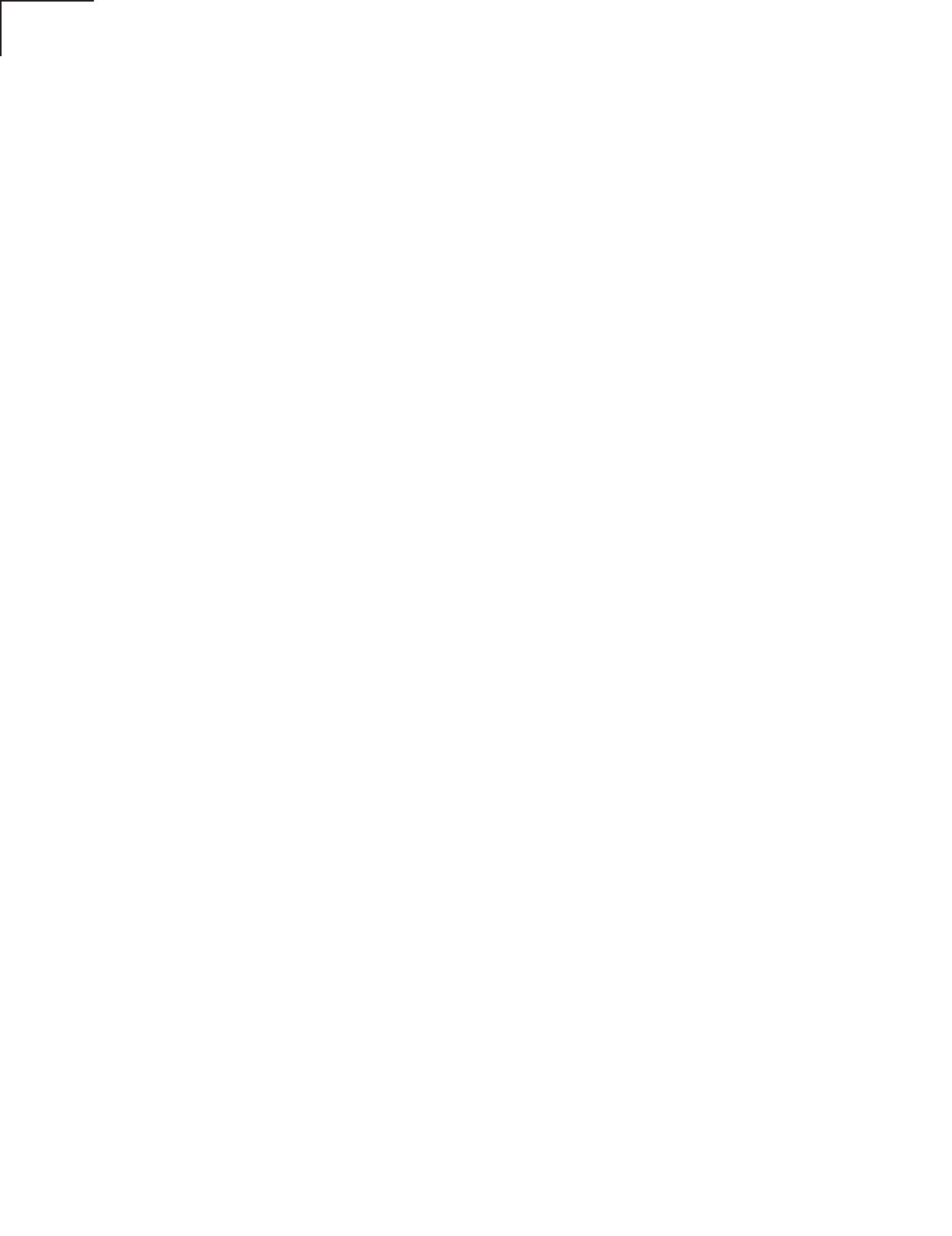




A S S O C I A T I O N
R E P R E S E N T A T I V E
H A N D B O O K

2 0 1 2





READY REFERENCE

This handbook belongs to: _____

Work site: _____ Phone: _____

E-mail: _____

I can get help from my MTA local president: _____

by calling: _____

by e-mailing: _____

I can get help from my field rep: _____

by calling: _____

by e-mailing: _____

I can get help from my MTA board member: _____

by calling: _____

by e-mailing: _____

I can call or fax MTA offices at:

Headquarters (Boston)

Phone: 800.392.6175 or 617.878.8000

Fax: 617.742.7046

Coastal Region

Braintree Service Center
800.479.1410 or 781.380.1410
Fax: 781.380.1441

Lynnfield Service Center
800.421.3332 or 781.246.9779
Fax: 781.246.9774

Raynham Service Center
800.336.1118 or 508.822.5371
Fax: 508.880.7575

Western Region

Auburn Service Center
800.542.5504 or 508.791.2121/2
Fax: 508.753.4503

Holyoke Service Center
800.432.1117 or 413.535.2415
Fax: 413.535.0196

Pittsfield Service Center
800.464.8088 or 413.499.0257
Fax: 413.442.4099

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THANK YOU!

Dear Colleague:

Thank you for volunteering your time and energy to serve as an association representative!

Yours is the most important association position there is. Think about it. Without active association representatives such as you, association officers would not have a good idea about what the membership thinks, feels, wants or expects from the association. Nor would the members know as much as they should know about the programs and priorities of the association. You are the vital communications link connecting the association to the members in your building.

You will discover that the personal relationships you help build at your work site are at the heart of what makes an association work and grow. As in our personal lives, it is the person-to-person exchanges in our professional lives that build the trust and confidence necessary for honest, open and meaningful communication among our members.

This handbook is designed to help provide information, ideas and inspiration as you serve in your important role. It suggests ways in which you can go beyond the ordinary, the mundane and the predictable — and have fun being an association representative.

Thank you again for serving as an association representative. We know you will enjoy being part of a truly great association team this year. You can begin now by simply filling out your work-site roster on the next two pages. Have fun ... and good luck!

Your Association Leadership

WORK-SITE ROSTER

I work with — and for — these great people!

Name _____

Association Member _____

Payroll Deduction for PAC _____

Room/Work Station _____

Grade/Subject _____

Job Title/Position _____

Home Phone _____

E-mail _____

Assn. Responsibilities _____

Special Skills Available _____

I have asked this person to do
something for the association. _____

I have personally done
something for this person._____

Name _____

Association Member _____

Payroll Deduction for PAC _____

Room/Work Station _____

Grade/Subject _____

Job Title/Position _____

Home Phone _____

E-mail _____

Assn. Responsibilities _____

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Special Skills Available _____

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something for the association. _____

I have personally done
something for this person._____

Please note: You should duplicate this page as needed.

JANUARY 2012

Did you know?

More than 140 years ago, teachers from Massachusetts and nine other states helped form the National Teachers Association “to elevate the character and advance the interests of the profession of teaching and promote the cause of popular education in the United States.” In 1870, that organization became known as the National Education Association.

Today, the reasons for Massachusetts educators to belong to a national organization are even more compelling. Over the past 50 years, some of the most significant changes in education have resulted from federal decisions, such as those concerning education opportunities for students with disabilities and special needs, equal education opportunities for African-Americans and other minority populations, vocational education opportunities for all students and athletic opportunities for girls. Without an effective voice at the national level, Massachusetts educators would have no opportunity to influence these and other decisions that affect the way education is delivered in Massachusetts and across the nation.

Check the box when you have tried the idea:

- Hold a special “high tea” event for faculty and staff after a school day in January.
- Begin making plans in your building to observe Read Across America Day on March 2.
- Ask your local president about AR training for next year.

Super Rep Helpers

As an AR, you may be called upon for advice when trouble is brewing, when disciplinary action is in the works, or when a meeting with the administration turns tense. Try a 10-minute meeting to go over these tips for members before trouble starts:

- Remain calm and courteous.
- Ask to have another member or witness present.
- Listen carefully to any accusations, and then ask for time to think before responding.
- Get help. Call your association representative. Do not admit guilt or accept any blame. Do not resign or sign any papers or agreements. Do not make any verbal agreements. Don’t agree to pay any expenses.
- Don’t discuss the matter with anyone except your association rep, your field rep or your attorney.
- Keep copies of all correspondence and papers relating to the situation.
- Make written, dated records of any conferences with administrators, including names of witnesses and others involved.

FEBRUARY 2012

Black History Month

Did you know?

The MTA's Legislative Action Center is a valuable resource on the Web. By typing in your home address or ZIP code, you will be able to quickly retrieve the names and contact information for the elected leaders who represent you on Capitol Hill, Beacon Hill and at your local city or town hall.

You can also get the latest legislative action alerts and learn of new legislative developments relating to public education and public higher education. There are even tips on how to write or call your elected leaders.

To learn more, visit massteacher.org/advocating/justfacts.aspx.

Check the box when you have tried the idea:

- Register for MTA's ESP Conference in March and invite at least two members to accompany you to the conference.
- If members travel to Boston to lobby or perform association-related tasks, recognize them by posting a "thank you" on the bulletin board. This will not only give someone some well-deserved praise, it will also let others know that the association's work is done by "you and me."
- Distribute Valentine's Day hearts with the message, "You're the heart of the association."
- Invite MTA student members from the college or university near you to attend your local association events and meetings. Call MTA headquarters to find out whom you should contact on campus. If you don't have a student chapter, why not help to get one started?
- Register for the MTA legislative reception scheduled in your area, and invite at least two other members from your work site to accompany you. Ask your MTA board member for more information.
- Hold a 10-minute meeting just to let members know about the MTA's legislative program and what kinds of legislative activities you may ask them to do during the session.
- Be sure to post the MTA's legislative updates on the association bulletin board and include information on how members can access the update on MTA's website, massteacher.org.

MARCH 2012

National Women's History Month

**Read Across America Day is March 2
The MTA ESP Conference is March 30-31**

Did you know?

March is National Women's History Month, which began as National Women's History Day to commemorate March 8, 1857, when textile and garment workers in New York City demonstrated against low wages and 12-hour workdays.

Women gained full membership in the National Teachers Association, later named the National Education Association, in 1866, nine years after its founding. That's when the constitution was changed to allow membership to "persons" instead of "gentlemen."

The first woman president of NEA was elected in 1910. Ella Flagg won by proposing that teachers be included at every level of school decision-making.

Check the box when you have tried the idea:

- Hold "coffee, bagel and cream cheese" briefings for your members on the morning after each bargaining session to provide updates. Note members' questions and concerns, and give them to the bargaining team.
- Begin to identify potential candidates for association offices, including association representative. If you would like someone to serve, reach out to him or her. Then actively support your choice.
- Do you have student teachers in your building this semester? If so, ask your local to pay their MTA student membership dues and be sure to invite them to participate in association activities and meetings.
- Need to take political action? Create a Legislative Message Center in your staff lounge with paper, envelopes, legislators' addresses and sample messages to legislators on an issue about which your members care. Members who respond by writing letters to legislators can deliver their letters to you (or someone you designate) for a stamp and mailing.

APRIL 2012

Did you know?

Your local association, MTA and NEA are democracies. When members express concerns about positions or policies, an effective response is to urge them to get involved, to make a difference. As a local or MTA board member or delegate to the MTA Annual Meeting or NEA Representative Assembly, you are part of your union's democratic process. Active involvement is the key to shaping our association at all levels.

Check the box when you have tried the idea:

- Use a 10-minute meeting this month to write letters to your legislators urging them to do the right thing for children and public education.
- Do something special for your building/work-site secretaries during Administrative Professionals Week this month.
- Remind members of training or workshops available through your association, field rep or MTA. Ask them if they are interested in attending the MTA Summer Conference in August.
- Talk to the president of your school's PTA and/or your principal and suggest a joint effort to recognize teachers and other certified staff on National Teacher Day or any time during Teacher Appreciation Week in May.
- Try a little public relations by "adopting" a street near your work site or a highway in your area. Plan to keep it clean and, perhaps, beautify it by adding local plants. Contact your local media, the editor of your association newsletter and post about the activity on social media. Take photos and post them on the bulletin board.
- Look for opportunities to invite your association president and field rep to visit your building and let your members know when they will be there.
- Meet with your membership chair to plan the distribution of materials for the next year. Determine how you want to distribute membership cards and respond to MTA's request for this information.

Super Rep Helpers

It is important to always check your perceptions about what members say. Listen more than you talk. Here are some other pointers:

- Give your full attention.
- Avoid hasty evaluation.
- Don't overreact to either content or delivery.
- Listen for ideas, not just facts.
- Don't listen only to what you want to hear.
- Report what you've heard to your local association officers.

MAY 2012

Asian/Pacific American Heritage Month

The MTA Annual Meeting is May 11 and 12

Teacher Appreciation Week is May 6-12

National Teacher Day is May 8

National School Nurse Day is May 9

Did you know?

An Arkansas teacher, Mattye Whyte Woodridge, began corresponding with political and education leaders as early as 1944 about the need for a national day honoring teachers. One of the leaders to whom she wrote was Eleanor Roosevelt, who persuaded the 81st Congress to proclaim a National Teacher Day in 1953.

Teacher Day was celebrated on a variety of dates until 1985, when the NEA and the National PTA established Teacher Appreciation Week as the first full week of May. The NEA Representative Assembly then voted to make Tuesday of that week National Teacher Day.

Check the box when you have tried the idea:

- Ask someone who hasn't done so before to help you with end-of-year association duties this month.
- If your local association is negotiating a contract, hold a 10-minute meeting to assess how members feel about what's going on. Let the bargaining team know.
- Get members' addresses, telephone numbers and e-mail addresses for contact during the summer. (It is even easier on you if you ask members to provide three self-addressed envelopes or gather all of their e-mail addresses for instant communication.)
- Ask someone who attends the MTA Annual Meeting to give a brief report to the members in your building.
- Urge your members to consider attending the MTA Summer Conference in August, and let your local president know if any are interested in doing so. Especially look for members willing to attend the training sessions for emerging leaders or new teachers.
- Do something out of the ordinary for retiring staff, whether it's a party, a parting gift, an MTA Distinguished Service Certificate (available free of charge) or a gift certificate for one year's Retired membership in MTA. These cost \$55 each (\$30 for MTA and \$25 for NEA). Call MTA Retired Services at 800.392.6175, ext. 8254, to order a certificate.
- Make it a point this month to ask at least five of your colleagues about any special successes they have had with students this year. Congratulate them on the "small victories" that make it rewarding to work in public education. Make sure this information gets into your local association newsletter, blog, website or on social media.

Super Rep Helpers

If your association is bargaining this year, you may be asked to provide members at your building/work site with bargaining reports. The AR's role becomes critical during bargaining because many decisions are made at the table and these decisions have a far-reaching impact on members.

Here are some tips to keep in mind during the bargaining season:

- Talk about the issues, not problems and personalities.
- Report frequently.
- Encourage member input. Make members feel a part of the process. Their working conditions are at stake.
- Your bargaining team needs your support. Let your members know who they are and get to know them any way you can.

JUNE 2012

Gay Pride Month

Did you know?

MTA Today, the MTA's award-winning newspaper, provides important association news, as well as vital information on leadership opportunities, professional development, member benefits, politics and education policies.

Members have the option of receiving *MTA Today*, which is published five times a year, in the mail or by e-mail. To ensure continued delivery, members must sign up for the paper at massteacher.org/mymtatoday. (A membership number is needed to complete this form. The number can be found on individual MTA membership cards and on the back page of an *MTA Today* that was mailed to a member's home.)

It's also a good idea to place a copy of *MTA Today* in the staff lounge at school for members to read.

Check the box when you have tried the idea:

- Plan a building/work-site event to mark the end of the school year. Be sure to include itinerant staff.
- Wish members a "Happy Summer" from the association with a note attached to a package of M&Ms or a sample bottle of sunscreen.
- Ask your principal to let you know when new staff members are hired for next year so you can welcome them. Set up a summer welcoming team to visit new hires and/or orient them to the school.
- Get a firm commitment from the people you've asked to serve as association officers — including association rep — next year.
- Take time to thank each member who has helped you with association duties this year.
- Write year-end notes of appreciation to your local president, parent volunteers and anyone else who is deserving.
- If you're not going to be an association representative next year, review how you did and plan ahead. Give your replacement the benefit of your experience, and help him/her get a good start.
- Scholarships are available for MTA Summer Conference programs for emerging leaders and new teachers. Call MTA Affiliate Services to find out more at 800.392.6175, or visit massteacher.org.

Super Rep Helpers

- The end of the school year is hectic for everyone, but it is also a terrific time for you (the "super rep!") to find a few spare moments to thank building staff for their work through the school year. Your appreciation can be a spoken "Great job on your class art fair this year" or a more formal written thank-you note placed in staff mailboxes saying, "You've worked so hard for your students this year that I just wanted to tell you how proud I am to be your colleague." Sign your notes, "Jane Smith, Your Anytown EA Association Rep."

JULY 2012

The NEA Representative Assembly is June 30-July 5

Travel days are June 29 and July 6

Did you know?

Almost 10,000 delegates attend NEA's annual Representative Assembly, making it the world's largest democratic deliberative body. Held each year over the Independence Day holiday, the meeting gives NEA, MTA and local leaders and delegates the opportunity to put democracy into practice.

Check the box when you have tried the idea:

- If you find there are small tasks you still need to do for the association this month, use your summer roster and ask different people to help you out.
- Do a final check on the people you asked to sign up for the MTA Summer Conference next month. Urge them to follow through with their commitments.
- Make the effort to contact newly hired staff during the summer when you learn they've been employed. An early welcome now may make your membership visit during back-to-school week more successful.
- During the hot summer days, spend an afternoon at the nearest air-conditioned shopping mall and buy a supply of birthday, sympathy, congratulations and other kinds of cards for next year. Think about whom you could ask to be the card sender. Ask someone else to watch the newspapers for opportunities to send congratulatory letters to citizens, students and staff when their names make the news.
- Consider sponsoring a local festival. It's a great way to attract potential members and to build public awareness of the association's programs and messages. Be sure to take pictures and send them to MTA Communications so the division can help publicize your good works on our network of social media sites!

Good enough to be a teacher

Years ago, after a celebrated international career on the stage, the world-famous violinist Jascha Heifetz became a professor of music at UCLA. When someone asked him why he had left the glamour of performing to become a teacher, Heifetz answered, "Violin-playing is a perishable art. It must be passed on; otherwise, it is lost."

Then he went on to say, "I remember my old violin professor in Russia. He said that if I worked hard enough, some day I would be good enough to teach."

—Quoted from a speech by William Graves, editor of *National Geographic* magazine.

Super Rep Helpers

- You don't always have to have a full meeting of all the members at your building or work site to get or give information. Sometimes, instead, have a quick meeting of a few selected helpers from your roster to pass on information or to take a quick survey of how members feel about an issue. Spread the assignment around by asking each helper to cover some members. This is another opportunity for association members to meet each other on a more personal one-to-one basis while conducting important association work.

AUGUST 2012

The MTA Summer Conference is August 5-9

Did you know?

Local cable access is an important outlet for your association. While it always makes sense to promote public education and public school educators, events scheduled around American Education Week in November, or Read Across America Day in March, and Teacher Appreciation Week in May are great times to highlight the good work being done by local association leaders and members.

Help your association president get on interview programs in the upcoming school year by:

- Asking the local cable company to visit the teachers and members at your work site to see a typical school day or expose a new curriculum.
- Asking parents to help organize a “letter to the editor” campaign to your community newspaper expressing appreciation for education employees.

Check the box when you have tried the idea:

- Introduce yourself as the local association representative during the first work-site meeting. Post and/or distribute your name, location and home phone number. Let your members know you’re available to answer their questions about the association.
- Establish an association bulletin board for the year in a visible location for staff. Place material from MTA Benefits where members can see it.
- Make a personal visit to each new staff member’s classroom or work site during his or her first week on the job. Welcome the individual to the district, introduce yourself as the association representative and offer to be available whenever he or she needs assistance. Be informal.
- Prepare a “goodies” bag to welcome each new member of the staff. Include a special invitation to the Summer Conference in August. Encourage new teachers to participate in the new teacher sessions at the conference.
- Set up a mini work-site meeting just to introduce new staff members. Don’t add anything else to the agenda. Provide refreshments.
- Start a “buddy” system for new members so every new member has an association colleague who can help the person find materials, show the person around the district and talk about the places to shop, dine and get a car repaired.
- Remind members that the MTA membership card can be found, along with a pocket calendar, in a separate envelope either distributed by the association or mailed to the member by the MTA.

Super Rep Helpers

- Decorate the bulletin board in the staff lounge to make new staff feel welcome. List the new members’ names, their jobs or room assignments, subjects and grade levels. Include a picture or personal fact that will help start conversations to make the person memorable.
- Your effort will help the folks who don’t quite catch the new staff members’ names the first time around, it will make the new staff feel welcome and it will provide potential new members with an early and pleasant association experience.

SEPTEMBER 2012

National Hispanic-American Heritage Month

Did you know?

The first Labor Day holiday was celebrated on Tuesday, September 5, 1882, in New York City, in accordance with the plans of the Central Labor Union. The idea for a “workingmen’s holiday” spread with the growth of labor organizations, and in 1885, Labor Day was celebrated in many industrial centers of the country. While Massachusetts began recognizing Labor Day as an official holiday in 1887, Congress did not pass an act making the first Monday in September of each year a legal holiday until 1894.

Check the box when you have tried the idea:

- Ask members who may have moved over the summer to submit their new mailing addresses, telephone numbers and e-mail addresses to the MTA so they don’t miss out on any important communications during the year.
- Be sure your members know how to contact MTA headquarters and their MTA regional office. The phone numbers, as well as the websites for MTA, MTA Benefits and NEA, are located on the back of their membership cards.
- Whenever possible, hand-deliver any association information that you know the member needs to make decisions or act.
- Ask a member who participated in the MTA Summer Conference in August to share some experiences or insights from the training she or he received.

Super Rep Helpers

The Association Representative is ...

- A listener and sounding board for the association.
- A motivator who champions work-site concerns.
- Most of all, a friend who remembers that whatever is important to a member is important to the Association Representative, too.

OCTOBER 2012

Gay and Lesbian History Month

Did you know?

It's crucial for every local to have strong association representatives in every school building. If you know members who would make good ARs, ask them to serve!

Check the box when you have tried the idea:

- Keep your ears open. Be prepared to let the association know about the latest topic of discussion at your work site. The idea is to keep the association in touch with what members are saying.
- Highlight new or important issues on the association bulletin board to get your members' attention.
- Hold a short, well-planned meeting with new staff members to go over your grievance procedure.
- Remind members of MTA's upcoming training and conferences. Extend a personal invitation to every new educator to attend these events in the company of a colleague.
- Begin planning for November's American Education Week observance, and be sure to plan some recognition for your school support staff on National ESP Day.

NOVEMBER 2012

National American Indian Heritage Month

American Education Week is November 11-17

National ESP Day is November 14

The Just for New Teachers conference is tentatively scheduled for November 30

The Ethnic Minority Affairs Committee Conference is scheduled for November 30-December 1

Did you know?

The Massachusetts Child, the MTA's charity, provides grants to MTA preK-12 locals to help students who need a hand up. The charitable corporation reimburses participating MTA locals for a variety of items and services — winter coats, shoes, eyeglasses or school supplies — for students in short-term crisis.

The amount of grant money available to locals depends on the size of the association. The charity offers local associations with fewer than 500 members up to \$500 annually. Associations with more than 500 members can receive a dollar per member in funding each year. To learn more, visit massteacher.org/masschild. There, you'll find detailed information about how to take advantage of the grant program and the types of items and services that qualify for reimbursement.

Check the box when you have tried the idea:

- Hold a work-site breakfast as a change of pace for members.
- Ask your membership chairperson to confirm that he/she has sent all of the membership forms for new association members to MTA for processing.

DECEMBER 2012

The Ethnic Minority Affairs Committee Conference is scheduled for November 30-December 1

Did you know?

Members can communicate with one another and get the latest association news on Twitter, Facebook and at the MTA's website, *massteacher.org*.

To "like" the Massachusetts Teachers Association's official page on Facebook, visit *massteacher.org/facebook* or *facebook.com/massteacher*. To follow the MTA on Twitter, go to *twitter.com/massteacher*.

You can also access our entire network of social media sites at *massteacher.org*. See you in cyberspace.

You know you're a good AR when ...

- Members come to you often with questions.
- You have a "sense" when things are not going well at your work site.
- The work-site administrator comes to you with questions or problems.
- You have learned to "keep your cool" in the midst of any hassle.

Check the box when you have tried the idea:

- Don't forget to wish itinerant staff and substitutes a happy holiday season this month.
- Look for opportunities to invite your association president to meet just with your building/work-site members. Do the same with your field representative.
- Schedule a meeting with your legislator to explain the association's legislative priorities to help children and education.
- Hold a short building/work-site meeting to wish your members a happy holiday season from the association and/or to let them know what's coming up during the legislative session in January. Let them know what they can expect from you.

Super Rep Helpers

- Help keep the doors to involvement open! The doors to association involvement are wide open for members who choose to take advantage.
- Although your members may not want to exercise all of their options, they need to know ways they can participate — at the building/work-site level, the local association level, the regional level, or as part of MTA's variety of statewide activities. Members interested in political action may choose to serve on the local political action committee, for example.
- MTA staff and consultants offer training sessions and workshops during the year. Topics include mentoring and beginning teacher networks, discipline, sexual harassment, school finance, bargaining and evaluation, grievance and advocacy, political organizing, website development, social media and e-mail list management.
- This is a good time to note who seems to be interested in attending the MTA Summer Conference. Whenever opportunities pop up in any interest area on any association level, you will know whom to invite. It's just another way you can help your building/work-site members get involved with their association.

STRONG ASSOCIATION REPRESENTATIVES MEAN STRONG LOCAL ASSOCIATIONS

Every local association is strengthened by having strong association representatives in every school building. The following are some of the reasons we, as a membership organization, need to strengthen the organization at the building level.

1. The power of an organization is built upon the commitment of those who belong to the organization.
2. Research has shown that the most effective organizations are those whose members make decisions and/or have influence on the decisions that affect them.
3. Societal norms and private-sector organizational development are moving toward an increased grassroots role in decision-making.
4. Much of the Education Reform Act is focused at the building level, where organizations tend to be the weakest.
5. As an organization, we tend to be most vulnerable at the building level, where the principal is often viewed as the dominant figure.
6. In most locals, members are dispersed into several buildings and/or several areas of a building complex and may feel distant and disconnected from the centralized decision-making of the association.
7. Trained individuals providing communications assistance and making decisions within the organizational structure can avoid disruption and lack of commitment to the organization.
8. Two-way communication between members and association leaders is a critical part of developing member commitment to the organization.
9. The overall strength of the association is based on this membership commitment and support from each of the buildings.

In view of the reasons outlined above, a strong, consistent association representative program is recommended to ensure association-wide continuity and consistency at the building level and also to enhance the association's effectiveness in successfully advancing its issues.

THE ASSOCIATION REPRESENTATIVE AS ADVOCATE

All people are different. One cannot be expected to like and respect every individual. However, the association representative must never allow any negative personal or professional feelings concerning an individual bargaining unit member to interfere with his/her role as an advocate. The advocate must make every effort to ensure that all people feel comfortable bringing questions, concerns or problems to him/her. Every unit member should also feel that the advocate will keep appropriate matters confidential.

1. Always defend. Never judge.
2. Nothing will damage the credibility of the association representative, and, in the eyes of many, the association, more than the failure to observe the above credo.
3. In the early stages of your development as an advocate, you will need to seek the resources of the association to assist you. As you grow with experience and training, you will depend on such resources less and less. In any event, maintain the confidence of the members, even when you don't have the answer or solution. When you know where to find it, follow up.
4. Remember, *you are the association* to any given member when that member has a problem. You should at all times be in a position of giving sound, accurate advice — or you should be able to refer the member to someone who can advise him or her.
5. It is the responsibility of the association representative to act as the member's advisor as he/she deals with problems. The association representative must ensure that the individual member's rights are never jeopardized.
6. In dealing with supervisors and administrators (management), the association representative is obligated to assume a role of the employee's advocate, never an adversarial role.

THE DUTY OF FAIR REPRESENTATION

Since it speaks for all employees, the association is obliged to fairly represent all employees in the bargaining unit. This obligation is imposed by the public-sector collective bargaining law.

It is a prohibited practice under the law for an association to refuse to fairly represent a bargaining unit member in a matter involving the contract.

An association breaches its duty of fair representation where the association's conduct would be judged to be arbitrary or discriminatory toward a member of the collective bargaining unit. Subject to these criteria, an association is afforded substantial discretion in negotiations and in the processing of grievances. The association must protect the interests of the group as a whole, as well as individual interests, and must reconcile conflicts fairly. An association does not breach its duty of fair representation merely because it is wrong or because it fails to satisfy everyone it represents.

This “duty of fair representation” exists:

1. During collective bargaining for initial and successor agreements.
2. During the life of the contract, including the resolution of disputes and the processing of grievances.
3. When deciding whether or not to arbitrate and while conducting the arbitration.

The association has no duty of fair representation in matters that are unrelated to the collective bargaining context. For instance, an association is not obligated to provide advice or services regarding disputes involving the law other than the contract. An example of this might be a member who comes to the association believing he/she has been the victim of sex discrimination at work. The issue is whether this is simply a statutory claim or whether there is any claim based on the contract. The association does not have an obligation to process statutory issues.

Any association representative confronting this complexity should consult with the assigned field representative.

An association has considerable latitude in the processing of grievances and other aspects of contract administration. However, an association must consider and weigh, in good faith, all of the following criteria in deciding whether to proceed to arbitration on a grievance:

1. The effect of the breach on the employee.
 2. The effect of the breach on the contract.
 3. The likelihood of success in arbitration.
- Failure to make a considered decision in these situations may give rise to a claim that the association has breached its duty of fair representation.
 - A decision not to arbitrate based solely on cost to the association without regard to the merits of the grievance, for example, might be arbitrary and, therefore, a breach of the association's duty of fair representation.
 - Before reaching a decision not to arbitrate, the association must review and weigh all of the circumstances. It would be advisable to keep a sufficient record of the decision-making process (e.g., the record in the minutes of the executive committee) in the event that the association's decision is challenged.
 - Loss of pay (suspension, non-renewal, discharge): If the member proves that the association violated the duty of fair representation by refusing to arbitrate and if the Massachusetts Division of Labor Relations examiner also concludes that the member would have prevailed on the merits of the grievance, the association may be responsible for any back pay.

However, the duty to fairly represent is based on common sense — the association is given wide latitude to conduct its business as long as all employees in the unit are fairly treated.

Depending on the facts, examples of arbitrary or perfunctory association conduct might include:

1. Deliberate lying.
2. Ignoring a clearly meritorious grievance.
3. Failure to investigate or consider the merits of the grievance.
4. Failure to gather favorable evidence once an association decides to process a grievance.
5. Having a decision made by people who have a conflict of interest.
6. Making an inadequate attempt at gathering evidence on behalf of the grievant or at rebutting the employer's arguments.
7. Extreme negligence in investigating, extreme passivity in presenting the case.
8. Perfunctory handling of an arbitration case which omits any factual proof of the grievant's position.
9. Inexcusable failure to make a decision whether or not to advance a grievance to arbitration in accordance with contractual time limits.
10. Inexcusable failure to notify the grievant of a decision not to arbitrate in time for the grievant to advocate a different approach or to pursue other remedies if any are available.
11. Decisions based simply on race, gender, sexual preference or age, rather than on the merits.
12. Refusal to process the grievances of agency fee employees or non-members simply because they are not members.
13. Refusal to process grievances of members for the sole reason that they have criticized the association or filed charges against the association.

Factors that can legitimately enter into decision-making might include:

1. Effect on other members of the unit — monetary or otherwise.
2. Relative importance of the principle (what may be of great import to one member may be less important in the unit's "big picture").
3. Trade-off at bargaining table or in settling grievances.
4. Merits of grievance.

THE ASSOCIATION REPRESENTATIVE AS A CONTRACT ENFORCER

Contract Maintenance

Contract maintenance is one part of a larger process designed to protect the rights of the bargaining unit members and to provide them with proper representation. Providing proper representation usually requires the utilization of a host of problem-solving methods. It is important to remember that the solving of some problems may require an approach other than filing a grievance, because the grievance might not be “winnable” or because the situation may not be covered by the collective bargaining agreement. But the key point to remember is that an effective association representative utilizes a variety of approaches to raise, discuss and resolve the problems that unit members encounter in their professional lives.

Of course, the heart of any collective bargaining agreement is the grievance procedure. It is the bedrock that makes the collective bargaining process work. However, no matter how diligently the bargaining teams work to avoid ambiguity in negotiated contract language, disagreements inevitably occur as the contract is applied to a host of unanticipated job-related problems.

The association representative has a responsibility to police the collective bargaining agreement, school policies and the needs of members in general. As the association official who is closest to the general membership, the association representative is the communication link to ensure that information regarding contractual and professional problems are brought to the attention of, and are addressed by, the members, association officers, field representatives and school administration.

Purposes of a Grievance Procedure

The main purpose of a grievance procedure is “to get problems settled.” But, fully realized, the scope and meaning of “grievance processing” necessarily involves other objectives:

- Establishing the rights of the employee through interpretation of the contract, rules, regulations and policy.
- Communicating that the member with a grievance has the full support of other unit members and of the association leadership.
- Protecting rights established by the contract.
- Ensuring equal and fair treatment according to customary practice.
- In some instances, simply providing the member with the opportunity to tell his/her side of the story.
- Providing systematic means of solving problems; setting forth a reasonable process for solving disagreements.
- Requiring the administration to assemble facts and logic to justify the actions it takes.
- In doing so, by exposing the basis of administrative actions, protecting employees from unreasonable action, idiosyncratic motivation and the unfortunately common tendency of some administrators to “take it out” on subordinates.

The association appropriately invests large amounts of money and energy to create conditions that benefit members. For that reason, violations of the contract must be thoughtfully evaluated and forcefully challenged where the professional and contractual interests of the members so dictate.

FRONT LINE OF MEMBER DEFENSE

The association representatives, as the front-line contacts, actually have the best opportunity to counsel the individual members on grievances. It must be remembered that the best time and place to settle a grievance is in the conference with the member's immediate supervisor. The association representative must know exactly the remedy that is to be sought, the tactics or negotiating skills to be used and the facts to support the grievant's case. **These are points the association representative should know and follow in representing the grievant:**

1. When a member comes to you with a grievance, get all the facts. This will often require you to probe for facts beyond those which the member presents initially.
2. Check the collective bargaining agreement for the applicable provisions. Again, consider whether you have all the facts you need to address the contract provisions.
3. Make inquiries of other non-administrative employees involved in order to check the accuracy of the complaint.
4. Give the member your best advice about whether the matter is best handled through the grievance procedure or whether it is a non-contractual complaint best handled differently. Use persuasion. Give the member the benefit of the doubt.
5. Don't rule out a grievance right away. Deciding whether the contract has been violated is the arbitrator's job. Your job is to represent the interest of the aggrieved. You are his/her advocate.
6. In general, going alone to meetings with administrators is ill-advised unless you are very experienced.
7. Take the member in with you (unless you and the member agree it is not advisable). Prepare the member ahead of time. Make him/her understand that the best approach, as a general matter, is to have only one spokesperson.
8. Remember that you have contractual and legal authority in your role and make sure you are accorded respect in that regard. For example, if there are not enough chairs in the supervisor's office, have the supervisor drag some in. Remember that you are the association. This is not a "hearing" conducted by the supervisor; it is a "meeting" or "conference" between equals — the association representative and the management representative.
9. Always start by getting management's side. This just makes common sense — management acted; you are entitled to know why. Ask neutral questions of the supervisor.
10. Once you've heard the explanation, if any new facts don't prompt a change in your strategy, state why the association disagrees and what is desired (nature of complaint and remedy sought).
11. Whenever you need to discuss something with your side (e.g., when other members of the grievance committee or the aggrieved have fresh facts or new ideas), when a change in strategy is needed or when things need to be cooled off, you have the right to call for a caucus. This kind of break is standard operating procedure in this sort of a situation. Don't be shy about calling for it. Most of the time the other side will respect your sophistication in doing so.
12. It cannot be overemphasized that it is critical not to get sidetracked. Stick to the facts and pursue your remedy. This will not only be more efficient, it will increase the confidence of your member in the importance of his/her issue to the association.
13. If you disagree, disagree amicably. Be calm, but firm. Don't be afraid to say that you need to think something over and respond later. Never be pressured into making a decision that you need more time to consider.
14. Notify the association's grievance committee of what happened. Make sure that all procedures are followed to make the decision whether or not to take the grievance to the next step.
15. Without planning and advanced consideration, it is probably inadvisable to "horse trade" grievances. Remember that each grievance needs to be weighed on its merits.
16. Always be open to a reasonable settlement. In grievances involving the central administration, such as the personnel or payroll office, the best outcome is for the supervisor to act as the school committee's representative and make management settle at the lowest possible step.
17. Be sure to follow the timelines in the grievance procedure for moving the grievance to the next step. A timely, considered decision not to advance a grievance is not a problem, but failing to meet the timelines in making a decision must be avoided.
18. And finally, keep notes of what has happened, with relevant dates, times and facts.

CONTRACT INTERPRETATION

Eight Helpful Hints for Interpreting Agreements

1. Always think about the intent of the parties who wrote the agreement. For example, the contract may state that new employees will be evaluated by both the supervisor and the department head. Without spelling it out, the clause probably intends that each of these evaluations be independent and separate from each other. Should a situation arise where the facts demonstrate that a department head's evaluation of a new employee was influenced by the supervisor, a grievance could be filed on the grounds that the intent of the agreement was violated.
2. The contract should be interpreted as a whole. One part cannot be used to the exclusion of other parts. When both general and special provisions exist concerning the same thing, the special provisions will generally prevail.
3. If the wording of the contract is clear and definite, it will generally prevail. For example, a clause spelling out a minimum 30-minute, duty-free lunch period appears to be clear and unequivocal.
4. But if the wording of the contract is vague and indefinite, the interpretation of the parties will carry considerable weight. One way the parties demonstrate what they mean is by what they do. For example, the meaning of a provision stating that "the union and its representatives shall have the right to use the employer's facilities at all reasonable hours for meetings" would be illuminated by when and where the union has met in the past.
5. Decisions made in similar cases in the past affect decisions in present cases. In a dispute over what constitutes a valid reason for taking personal business days, knowing the reasons of why or whether a personal business day was granted in other situations is essential.
6. Express (written) provisions imply the exclusion of everything not mentioned. For example, if your contract specifies that personal days may be used for certain specific purposes, a grievance alleging that a personal day for a different purpose was improperly denied would likely be unsuccessful.
7. Implied (unwritten) provisions may exist if they are not inconsistent with the express (written) provisions and consistent with past practices.
8. Needless to say, a reasonable interpretation will prevail over one that is unreasonable or absurd.

ASSOCIATION MEMBER AND MANAGEMENT CONFERENCES

One of the more important functions of an association representative is to be present at meetings between management and members, either:

1. When the association member wishes to consult with the manager regarding a problem; or
2. When the association member exercises his/her Weingarten rights (see page 31).

As the association representative, follow these steps prior to such a meeting:

1. Prepare for the meeting.
2. Record information and conduct during the meeting.
3. Follow up with appropriate correspondence or actions after the meeting.

Preparation

In some situations, there may be little time to prepare because the meeting may be unexpected. But if possible:

1. Discuss and clarify the problem beforehand.
2. Determine possible solutions (this may be part of the informal first step in the grievance procedure).
3. Get advice from your association officers or MTA representatives.
4. Research pertinent areas of the contract.
5. Prepare a brief outline of points to make.
6. Warn your member against self-incrimination. Members are usually inexperienced and extremely nervous in these confrontational situations. Usually it is best for the member to let you be the spokesperson.
7. Don't submit written statements unless reviewed by the association and/or field representative because they will be viewed as "official" association positions.

Conduct During the Meeting

1. Take complete and accurate notes. Include all important information. Your notes concerning who said what may be valuable later, and they make all of those participating a little more careful about what they say.
2. If possible, take control of the meeting and structure the meeting according to your plan.
3. Make certain that instructions, questions or directives asked of the member are fair and clear. Ask for clarification, if needed.
4. Insist that your member is granted due process (i.e., notice, investigation, etc.).
5. Suggest possible solutions only if you have prior knowledge that they are in agreement with the member and the contract.
6. Ask for copies of all documents for the association and for the member you are representing.
7. Be certain that the member does not make any statements without first thinking them through.
8. Do not sign any agreement without first taking an opportunity to discuss it in private and to consult with association officers.
9. Stop your member from incriminating himself/herself.
10. Refer to the contract, citing articles and sections to support your contentions.
11. Tell the manager that you would like to avoid an arbitration.
12. Sometimes you may have to consider ways to allow the manager to save face.

Follow Up on the Meeting

1. Assure the member of your confidentiality. Your role is to serve as an association representative with all information you gather held in the strictest confidence and shared only with the MTA field staff person, unless the member authorizes you to share the information.
2. Review your conference notes of the meeting and make a corrected copy if necessary.
3. Review your summary of the conference with your association member to:
 - Determine the accuracy of the notes.
 - Determine if the conclusions are fair.
 - Ensure that all positions are clearly understood.
 - Ask the member what additional action he/she desires.
 - Suggest possible courses of action.
 - Notify association officers as to the status of the meeting, if appropriate.
 - Prepare for additional steps, if needed.

TIPS FOR ASSOCIATION REPRESENTATIVES WHO PROCESS GRIEVANCES

1. Investigate and handle every case as though it will eventually end in an arbitration hearing.
2. Your procedure needs a final step — e.g., arbitration.
3. Give the member a full hearing about his/her grievance and counsel the member as to the association position.
4. Make sure you are within the agreement time limits and that the grievance meets all other procedural requirements dictated by the agreement.
5. Examine the agreement and the agreement provisions carefully.
6. Make a full record of both the member's and management's positions, arguments, witnesses, evidence and participants in all discussions.
7. Examine the correspondence records for similar or identical grievances that have been resolved in the past.
8. Carefully record all results of your investigation.
9. Present all records that are germane to the case.
10. Identify the specific provisions of the agreement allegedly violated. Determine whether the matter can properly be defined as a grievance.
11. Identify the relief being sought and discuss a reasonable solution with the member.
12. Advise the member of the action you and the association plan to take.
13. Fully inform your grievance committee of all discussions with the grievant and all decisions reached.
14. If the grievance was untimely raised or filed, argue the merits of the grievance first.
15. Make all settlements within the terms of the agreement. Discuss all matters with the grievance committee.
16. Don't ask favors of the committee or administrators. They won't forget, and they will some day expect a reciprocal concession.
17. Do not depend upon the administrators and/or committee to assume authority for solving your problems. Exercise authority and dispose of issues promptly.
18. Control your emotions. Control your remarks. Control your behavior.
19. Pass along to your negotiating team your experience with any troublesome agreement clauses.

SAMPLE GRIEVANCE STATEMENT

WHEN & WHO	On or about <i>April 15, 2012</i> , <i>Mr. Smith</i> , principal at
WHERE & WHO	<i>Bedlam Junior High School</i> , ordered <i>Mr. Jones</i>
WHAT	<i>to cover a class of another teacher who was absent that day, thereby depriving him of his duty-free lunch period.</i>
HOW (authority)	Therefore, in accordance with ARTICLE II (Grievance Procedure) of the current Agreement between the Association and the Board, the Association, on behalf of Mr. Jones, submits the above matter as a grievance.
RULE (contract violation)	The Association contends that the action of the school principal described above is in violation of ARTICLES IV; VII; XXII and other articles relevant to the instant matter. Further, the Association contends that the matter involves an
ISSUE (what or who)	administrative decision affecting Mr. Jones' terms and conditions of employment as set forth in ARTICLE II.

Remedies Sought

WHAT IS THE REMEDY (compensation?)

1. *That Mr. Jones be compensated for the extra assignment at the rate specified in ARTICLE XXII, paragraph B.*
2. *That in the future, the principal refrain from assigning teachers during their duty-free lunch periods.*

CHECKLIST FOR HANDLING GRIEVANCES AT THE INITIAL STEP

I. THE GRIEVANCE

- Listen to grievant's story.
- Ask questions.
- Don't personalize the issues.
- Take notes; keep a record.
- Get names, dates, times.
- Refer to section of the contract allegedly violated.
- Identify remedy desired.
- Repeat grievance in your own words to grievant.

II. GET THE FACTS

- Check the association contract.
- Check time limits.
- Check grievability.
- Check the experience of other employees in similar cases.
- Seek advice, if necessary.
- Investigate facts and records of others involved.
- In deciding, give benefit of the doubt to the association.

III. PRESENTING GRIEVANCE

- Settle the grievance as soon as possible, if settlement can be achieved.
- Write a simple statement of the situation, and conclude with the remedy being sought.
- Explain your position orally to the administrator.
- If the grievance is denied, appeal within the timeline and keep the association member informed of the progress of his/her case.

PRESENTING THE GRIEVANCE

Know your facts — be confident:

When you are ready to go into a conference with the administrator, don't try to outsmart him or her. Don't carry a chip on your shoulder, and don't anticipate being outsmarted or outwitted. Know your contract and your rights under it — and stick to them. State the facts plainly. Avoid opinions or hearsay evidence. Too many grievances are lost because the association representative did not have the facts. Rarely does the presentation of the grievance win: It takes FACTS!

Stick to the point — be businesslike:

As discussion progresses on a grievance, the administrator may try to sidetrack the real issue and lead you into a discussion of irrelevant issues or inject additional complaints against the grievant. Insist on discussing the issue raised by the grievance only, nothing else.

Settle the grievance at the first step:

The most desirable outcome is to have the grievance settled at the first step. This prevents the bogging down of grievance machinery and permits the association to devote more time and effort to problems of general concern to all members.

Take a positive position — not defensive:

Don't be timid or convey the feeling to the administrator that you are presenting the grievance because it is an obligation on your part. Avoid being apologetic; impress upon the administrator that there is no doubt in your mind that the grievance has merit and should receive an equitable settlement.

Disagree with dignity:

Disagree with management in a calm, firm, positive manner. Avoid pounding the table, blowing up, crying or making empty threats. Declare your intention of taking the grievance to the next step. As a rule, administrators prefer to settle complaints before the complaint is carried to a higher management level.

Maintain a united position:

Take the grievant along with you. This is necessary by contractual obligation and prevents mistrust and establishes confidence in the association representative. BUT make sure that you are both in accord on the facts and issues!

COMMUNICATING WITH MANAGEMENT

Before you see the administrator, ask yourself these questions:

- Have I gotten all the facts from the grievant?
- Do I have all the other information I need?
- Have I checked the contract, regulations and policies?
- Have I explained the case to the grievant?
- What questions do I want to ask the administrator?
- What points do I want to get across to the administrator?

Remember — in the grievance procedure, the administrator and the association representative are equal.

The administrator and the association representative share the responsibility for settling grievances. Try to establish a friendly but businesslike relationship. There is no reason to bow or scrape OR to have a chip on your shoulder. If the administrator is unreasonable, you can always go to the next step. Ask him or her why the grievance happened, since he or she may have facts that you don't have.

State the facts and tell administration representatives how the association wants the grievance settled.

If they want to trade — you win one grievance and they win one:

Insist on settling each grievance on its merits. This is the only just way to settle a grievance.

If they make you angry — beware:

Few people can think straight when they are angry, and it is a victory for the administrators if they can make you lose your temper.

If they stall:

Try to push for an immediate answer. If you cannot get a decision, try to set a definite time as early as possible for the answer.

If you and the grievant disagree:

Don't ever disagree in front of management. Determine the way you will present your case before you see the administrator. If you hit a snag, ask to adjourn. You have a right to do this. Then straighten out your case and resume talks with management.

If you win your point:

Once you have won, stop talking. Don't continue to hash it over. Be sure to inform the grievant about it if he or she wasn't with you.

If you can't settle the grievance:

Tell the administrator that you will request appeal to the next step in the grievance procedure. Let him/her know you are going to do this. Be sure to keep the grievant informed.

WORK, THEN GRIEVE

What does the employee do if ordered to do something which is obviously contrary to the terms of the contract?

Generally, the employee should first inform the supervisor that the contract is being violated. If that doesn't work, the employee should inform the supervisor that there may be a grievance. Then carry out the order.

Sometimes this rule of "work, then grieve" can cause a problem. For example, an employee may be ordered to ride a bus with a group of children. The contract might be clear in excluding that kind of one-time order. The supervisor may be very willing to say later, "I promise I'll never to do it again. I was wrong." However, the employee still had to ride the bus. What can be done?

This kind of flagrant contract violation can be corrected by being creative in the relief asked. The grieving employee might ask for one-and-one-half times the hourly pro-rated rate of pay or for compensatory time that could be taken at the employee's discretion. Most arbitrators will not make the supervisor suffer punishment, but are receptive to other forms of creative relief.

The one exception to this rule is where the supervisor orders the employee to do something that is injurious to health or physical safety (e.g., search lockers for bombs). In such cases, you can refuse to carry out the order.

INSUBORDINATION

The dictionary defines insubordination as "unwillingness to submit to authority."

Management is expected to exert some leadership to direct the institutional operations. These rights, however, are limited by law, the contract and other rules and regulations.

Management has the right to issue reasonable orders and directions as long as they conform to the contract and are:

1. Not injurious to health.
2. Clear and unambiguous.
3. Applied uniformly.
4. Justly administered.

If you, as an employee, think that the administration has given an order that violates some rule, the contract or a law, the best advice is to carry out the order to the extent possible and necessary while at the same time pursuing those remedies available to you.

Insubordination is probably one of the easiest charges to prove against an employee. However, to be guilty of insubordination, you must be aware of the rule or directive (the rule need not be written). Furthermore, the rule of reason dictates that your noncompliance should be brought forcefully to your attention (probably through a verbal warning and/or written reprimand) before you can be dismissed for insubordination.

ASSOCIATION REP EMERGENCY PROCEDURES

In the first few minutes or hours following an incident that poses a threatening outcome for a member, the association representative should be prepared to take action.

The first stage of an incident is often filled with trauma that hinders clear thinking. Therefore, it is vital that members be warned against taking precipitous and potentially unwise actions.

Warn Members:

Not to make spontaneous responses to charges brought against them.

Not to appear at any accusatory hearing (including a meeting with an administrator) unless accompanied by an association representative.

Not to attempt to defend themselves alone.

Not to accept “an opportunity to resign.”

Not to agree to any proposals, whether orally or in writing.

Not to submit any written statement to administrators or school directors.

Not to refuse to carry out an order of an administrator, even though doing so would violate the contract (the field rep will advise the member concerning exceptions to this rule).

Advise Affected Members:

To write down immediately everything that happened — a narrative including time, date, location, names of persons involved, witnesses and actual words spoken.

To get advice early from association representatives — not to “wait and see what happens.”

To keep copies of all correspondence and papers relating to the situation.

NOTE: Many a career has been damaged as the result of a member's failure to pay early heed to one of these cautions.

WEINGARTEN: THE RIGHT TO REPRESENTATION

Weingarten rights guarantee an employee the right to union representation during an investigatory interview. The following Q&A was prepared by the MTA Legal Services Division to acquaint MTA members with the extent and limits of these rights.

These rights are based upon private- and public-sector collective bargaining laws. An employee's right to representation in investigatory or pre-disciplinary meetings was established in a 1975 United States Supreme Court decision, *NLRB v. Weingarten, Inc.* The Massachusetts Division of Labor Relations has adopted the Weingarten rules for public employees covered by M.G.L. c. 150E.

What situations give rise to Weingarten rights?

- Where the employee has a reasonable expectation that discipline may result; for example, where the meeting is part of the employer's disciplinary procedure.
- Where the purpose of the meeting or interview is to *investigate* an employee's allegedly inadequate work performance or other misconduct, where discipline of any kind is a *possible result*.
- Where the purpose of the interview or meeting is to elicit facts or the employee's "side of the story," or obtain admissions or other evidence either to determine whether or not discipline is warranted, OR to support a disciplinary decision already made.
- Where the employee is required to explain or defend his/her conduct in a situation that the employee reasonably fears could affect his/her working conditions or job security. (Note that it is not clear whether this would include non-disciplinary situations, such as RIFs.)

What situations DO NOT give rise to Weingarten rights?

- Where the meeting or discussion is merely for the purpose of conveying work instructions, training or needed corrections.
- Where the purpose of the meeting is simply to inform the employee about a disciplinary decision that has already been made and no information is sought from the employee.
- Where the employer has clearly and overtly assured the employee prior to the interview that no discipline or adverse consequences will result from the interview.
- Where any discussion that occurs after the employer has notified the employee of the discipline has been initiated *by the employee* rather than the employer.

Do job performance reviews or evaluation conferences give rise to Weingarten rights?

- Possibly. We would argue that these rights apply where the employee's performance has been under scrutiny and the employee reasonably believes that his/her job is in jeopardy. However, the right is unlikely to apply to classroom observations.

How about "counseling" sessions with supervisors regarding absenteeism or drug or alcohol problems?

- Again, possibly, especially where the employer is seeking information from the employee or has given the employee a reasonable basis for believing that discipline or termination might result from the problems under discussion.

What constitutes a “reasonable expectation” that discipline may result?

- The test is *objective, not subjective*. The employee’s belief must be a reasonable assessment of the objective circumstances. For example, has the employer provided any oral or written warnings? Have there been oral or written allegations of misconduct? Has the employee been under scrutiny previously? Have other employees been disciplined for conduct similar to that being investigated at this meeting? Note that an employer may be able to avoid Weingarten problems by clearly informing the employee that no discipline will result from the meeting and by following through on that promise.

What if the employer states that a disciplinary decision has already been made, but then begins to question the employee about his or her conduct?

- The cases are unclear on this situation. We recommend that employees ask for representation at any point in the meeting when the employer solicits information from them. We would argue that seeking such information shows that the employer is trying to support or possibly alter its disciplinary decision, which gives rise to Weingarten rights.

Does the location of the interview matter?

- It is more likely that Weingarten rights are involved when the interview or discussion takes place in a supervisor’s office, but this is not a hard and fast rule.

Does the employer have to inform you about your Weingarten rights before conducting the meeting or interview?

- ABSOLUTELY NOT. It is up to employees to know their rights and ask for representation in investigatory or disciplinary interviews.

How and when should an employee request representation?

- As soon as the employee becomes aware that the employer is seeking information that may result in discipline, or to support a disciplinary decision, the employee should state his/her desire for representation.
- The employee’s request does not have to be in any particular form, nor does it have to be in writing. Even words such as “Shouldn’t I have a representative here?” have been considered sufficient to assert Weingarten rights.
- As to when, the employee can make the request at any time, even in the middle of the meeting. (However, the employer will be permitted to use any information obtained before the request has been made, as long as the employer provides Weingarten rights promptly upon the employee’s request.)

Does the employee need to repeat the request for representation more than once?

- No. It is incumbent upon the employer to provide Weingarten rights, even if the request is made to a lower-level supervisor who is not conducting the meeting and is not repeated at the outset of the meeting.

What are the Weingarten rights that the employer must offer after an employee has requested representation?

The employer has three lawful options:

- Grant the request and delay the interview or meeting until the representative arrives and has a chance to consult privately with the employee.
- Discontinue the meeting or interview.
- Allow the employee to choose whether to continue with the interview unrepresented or forgo the interview entirely.

What should the employee do if s/he is unsure whether a particular meeting calls for Weingarten rights?

- There is no harm in asking for representation even if you're not sure you're entitled to it. *The employer cannot discipline you simply for asking.* Employees could also ask whether or not the meeting could result in disciplinary action; if the answer is anything but "no," the employee would be reasonable in asking for representation.
- *Cautionary Note:* An employee may not be protected if s/he refuses to participate in a meeting that is subsequently found to lack Weingarten status. Therefore, we recommend that employees consult with their association representatives for advice about their rights any time they are called to a meeting with the employer.

If the employer insists that the meeting continue without a representative, may the employee refuse to answer questions or even leave the meeting?

- Arguably yes. An employer cannot discipline or discharge an employee for refusing to surrender his or her Weingarten rights to representation. If it is truly a Weingarten situation, the employee may remain silent or even leave and return to his/her normal work duties.
- However, given the complexity and unpredictability of the law, it is often more prudent for the employee to comply with the employer's directives, knowing that s/he might later be able to overturn any discipline that results from the unlawful meeting. Otherwise, the employee risks being disciplined for insubordination.

Can the employee insist on a particular representative? Does it have to be an association representative?

- The employee may choose his/her own representative, whether it's an association official or another employee, without the employer's interference, as long as the choice does not unduly disrupt the employer's ability to conduct the investigation. In practice, this usually means that the employer should try to comply with the employee's request, even if it means some delay in scheduling the meeting.
- On the other hand, the employee can't expect the employer to postpone the meeting unreasonably. The reasonableness of either the employer's or the employee's behavior can only be measured on a case-by-case basis.

Does the employer have to give release time to the representative requested by the employee?

- The general rule is that the employee may choose his/her representative if that person is "available." If the interview or meeting is scheduled sufficiently in advance that the representative can meet with the employee on off-duty time, then they will be required to do so. Of course, your local collective bargaining agreement may also provide for release time in these situations.
- If the interview or meeting is scheduled so closely that off-duty consultation is not possible, the employer would have to provide release time to the representative who is on the premises unless the employer can establish some overriding management need that would preclude doing so.

If an employer has provided all the necessary Weingarten rights, may an employee refuse to answer questions?

- No, unless the matter under discussion has criminal implications. Generally, an employee does not have the right to remain silent, as long as his/her representational rights have been honored; nor may the association representative direct the employee to remain silent.

What are the representative's role, rights and duties at a Weingarten meeting?

While Weingarten meetings are not “bargaining sessions,” the association representative has the following rights:

- To be informed about the subject matter of the meeting.
- To consult privately with the employee before the meeting.
- To speak and be proactive during the interview, as long as doing so does not interfere with or disrupt the meeting.
- To advise and counsel the employee.
- To provide additional information to the employer at the end of questioning.
- To bear witness to the proceedings, take notes, etc.

Can an employee “waive” his/her Weingarten rights? How?

- If an employee does not affirmatively ask for representation, he or she will be considered to have “waived” his or her rights. However, as noted earlier, the request for representation does not have to comprise any “magic words,” as long as it puts the employer reasonably on notice that the employee would prefer representation.
- If the employer claims that the employee chose to continue the interview without representation, the employer must demonstrate that the choice was voluntary, clear and unmistakable. For example, if the employee elected to go forward without a representative only after the employer told him “things will be worse for you if you insist on having the association present,” then the choice would not be deemed “voluntary.”

What remedy is available for violation of Weingarten rights?

- An employer commits a prohibited practice under Chapter 150E if the employer (1) refuses an employee’s request for representation during an investigatory or disciplinary meeting or otherwise withholds the full panoply of Weingarten rights; (2) disciplines an employee for asserting his/her Weingarten rights; (3) threatens or coerces an employee exercising Weingarten rights; or (4) threatens or disciplines an association representative for assisting an employee in a Weingarten meeting.
- The state Division of Labor Relations will order the employer to rescind any retaliatory threats or discipline imposed because an employee or association representative exercised Weingarten rights. Moreover, if the commission finds that the discipline ultimately imposed by the employer was affected by the information obtained at the unlawful meeting, or was affected by the fact that no association representative was present, then the commission will also order that discipline rescinded. The commission will also order the employer to post a notice of the violation.
- Arguably, information obtained at a meeting in violation of Weingarten rights should be excluded from any eventual discharge or discipline arbitration.

PROGRESSIVE DISCIPLINE

***Adapted from material from the American Arbitration Association
Department of Education and Training***

Except in an extreme situation involving a major offense, an employee should not be discharged for a first offense. Instead, an employee should be subjected to “progressive discipline,” under which an employee receives a series of increasingly severe penalties prior to being discharged for a particular offense. Discharge should be resorted to only where previous efforts and less severe disciplinary measures have failed to correct the employee’s behavior. The purpose of progressive discipline is to correct improper conduct and obtain compliance with established rules of proper employee conduct. Progressive discipline necessarily implies effort by the employer to rehabilitate the employee.

Normally, the sequence or severity of penalties under progressive discipline is as follows:

1. Oral counseling (or warning).
2. Verbal warning or reprimand (with notation in personnel file).
3. Written warning or reprimand.
4. Suspension or disciplinary layoff.
5. Discharge.

There is no precise mechanical formula or fixed pattern of penalties for every situation. The degree or severity of the disciplinary action for a first instance of misconduct depends upon the nature of the offense. Each instance of misconduct must be viewed and judged individually, and the disciplinary measure should be designed to bring about correction. The discipline must not be too severe, but it must be sufficient to achieve correction and proper employee behavior for the future.

SEVEN TESTS FOR “JUST CAUSE”

As defined by Arbitrator Carroll R. Daugherty

1. Did the employer give to the employee forewarning or foreknowledge of the possible or probable disciplinary consequences of the employee’s conduct?
2. Was the employer’s rule or managerial order reasonably related to the orderly, efficient and safe operation of the employer’s business?
3. Did the employer, before administering discipline to an employee, make an effort to discover whether the employee did in fact violate or disobey a rule or order of management?
4. Was the employer’s investigation conducted fairly and objectively?
5. At the investigation, did the “judge” obtain substantial evidence or proof that the employee was guilty as charged?
6. Has the employer applied its rules, orders and penalties evenhandedly and without discrimination to all employees?

7. Was the degree of discipline administered by the employer in a particular case reasonably related to (a) the seriousness of the employee's proven offense and (b) the record of the employee in his service with the employer?

The arbitrator explained that:

A "no" answer to any one or more of the above questions normally signifies that just and proper cause did not exist. In other words, such a "no" means that the employer's disciplinary decision contained one or more elements of arbitrary, capricious, unreasonable and/or discriminatory action to such an extent that said decision constituted an abuse of managerial discretion warranting the arbitrator to substitute his judgment for that of the employer.

THE ASSOCIATION REPRESENTATIVE AS ORGANIZER

1. Organize the members in the school, recruit and retain membership in the local organization and, foremost, get others to help you. Organize small tasks for individuals, such as a building newsletter or changing the association bulletin board. You can also find someone who has a special interest in negotiations, grievances, social get-togethers, politics, etc., so that they can serve the association in these capacities within your area or building.
2. Promote organizational growth in the building through involvement in elections, at meetings, in community work and at social functions.
3. Keep the organization's actions, accomplishments, programs and available services visible and accessible to members in the building.
4. Communicate information to the members through personal contact, newsletters, e-mail or telephone network.
5. Inform members about the importance of political involvement and its relationship to association issues at the local, state and national levels.
6. Assume a decision-making role in crisis situations.
7. Keep the organization's leadership informed as to problems and/or accomplishments at the building level.
8. Ensure continuing direct involvement of association members in decisions that affect them at the building level.
9. Know your individual members and their interests and avocations for possible future reference.

THE ASSOCIATION REPRESENTATIVE AS A COMMUNICATOR

The association representative ensures that all association-related information is distributed, posted or in some other way made available to members. A file of local announcements or newsletters and one of special MTA/NEA publications helps the association representative answer members' questions.

The association representative should never undermine the position of the association or jeopardize the rights of members in either verbal or nonverbal communication. Prior to the association taking positions about local issues, the association representative should encourage honest, open exchanges among the members. These should be reported to the association leadership and become a part of the local decision-making process.

The association representative must be an active listener, not only relating to individual member problems but also to member concerns about the association. The association representative must inform the association about such member problems/concerns, make use of association resources to respond to them and always follow up.

Some of the information to be related to members will come from the association, so, for the most part, it will already be prepared for distribution. Because of the association representative's own time constraints, such communications will be done mainly through teacher mailboxes.

However, by far, the most successful communication is done *on a one-on-one basis*. Therefore, the association representative should take the time to *personally* deliver communications to each member and, from time to time, take the opportunity to speak with individual members. This will allow the association representative to become more acquainted with each member, and members will feel more comfortable coming to the association representative with a concern or problem. This is especially effective with recent hires or transfers or people who tend to need welcoming into the group.

The association representative has a responsibility to develop a climate in which new employees feel welcome in the association. The association representative should develop some formal welcome and personally speak to all new employees.

Carefully select an experienced and knowledgeable member of the association to act as a "buddy" for each new employee. The "buddy" should orient the new employee to the local association and the school, accompany him/her to any new employee social activities, initiate action toward getting him/her involved in the association and consult with him/her during the school year.

The association representative maintains a working relationship with the administration and, ideally, is respected as an advocate by the administration. However, the association representative should never be perceived as the voice or servant of the administration.

Finally, create a positive, friendly association environment. Respect and being liked are difficult to define or to teach, but the basic positives that reside in the likable person are:

1. Optimism.
2. Concern about the welfare of other people.
3. Ability to see the opportunity in every difficulty.
4. Ability to handle stress.
5. Ability to laugh easily, especially at himself/herself.
6. Ability to perform at his/her best in crises and at his/her humblest in prosperity.

POINTERS ON DEALING WITH PEOPLE

The following points about the way people behave may help association representatives better understand the special nature of their leadership responsibilities in handling grievances.

People differ greatly. Differences in psychological makeup are not easy to see and understand, yet they are very important.

Behavior is not always based on reason or logic — often it is emotional. There are both rational and emotional reasons for beliefs and actions. Therefore, people do many things not just because they are sensible things to do, but also because of the way they feel.

Before you can influence people to change their minds about anything, you have to know what they think and how they feel about it. Take a look at it from their point of view.

If you want to change a person's attitude (even after you know what kind of person he or she is — likes, dislikes), you cannot do it by suggesting anything that is in too great a conflict with his or her point of view. You need to show how such a change will do the individual some good.

In trying to change people's attitudes, you must respect their right to their own opinions even though you disagree with them. People will not admit that they have changed their minds unless they can do so without loss of "face."

People will resist any attempt to change their ideas if they feel that they are being "pushed around" or that their democratic rights are being disregarded.

THE HELPING SKILLS

- **Attending**

Being with another, being in physical attendance to another, making level eye contact with another and maintaining an open body posture while listening. It is an essential condition for effective listening that you give someone your total attention.

- **Silence**

Passive listening, being quiet while another talks. Silence can be very powerful, especially when another is experiencing sadness.

- **Acknowledgment**

A non-evaluative response, letting another know you heard what he or she said (e.g., "Hmm," "Really," "Yes," "I see," etc.). Acknowledgment lets the other know you're with him/her.

- **Door Openers**

Open-ended invitations for the other to relate more (e.g., "Would you like to talk about it?" "I'd like to hear more," "Say more about that"). Openers are very effective in creating an opportunity for another to talk more.

- **Active Listening**

Feeding back the sender's message in the listener's own words, reflecting or mirroring the sender's feelings and thoughts (e.g., "You seem really discouraged about meeting the deadline"). Active listening is the most difficult and the most effective helping skill.

TEN COMMANDMENTS FOR GOOD LISTENING

1. **Stop talking** — You can't listen if you're talking.
2. **Put the talker at ease and be patient** — Help her or him feel that she or he is free to talk. Allow plenty of time. Don't interrupt. Don't start for the door or walk away.
3. **Remove distractions** — Don't doodle, tap or shuffle papers. Will it be more quiet if you shut the door?
4. **Get the main points** — Concentrate on the main ideas and not the illustrative material; examples, stories, statistics, etc., are important, but are usually not the main points. Examine them only to see if they prove, support or define the main ideas.
5. **Avoid jumping to assumptions** — This can get you into trouble in trying to understand the other person. Don't assume that he or she uses words in the same way you do; that the other person didn't say what he or she meant, but you understand what he or she meant; that he or she is avoiding looking you in the eye because he or she is telling a lie; that he or she is trying to embarrass you by looking you in the eye; that he or she is distorting the truth because what he or she said doesn't agree with what you think; that he or she is lying because what he or she says doesn't agree with what you think; that he or she is lying because he or she has interpreted the facts differently from you; that he or she is unethical because he or she is trying to win you over to his or her point of view; that he or she is angry because he or she is enthusiastic about presenting a case. Something you assumed to be a lie may turn out to be true. More often assumptions just get in the way of your understanding and reaching agreement or compromise.
6. **Hold your temper** — An angry person gets the wrong meaning from words.
7. **Go easy on argument and criticism** — This puts the person on the defensive. He or she may clam up or get angry. Don't argue: Even if you win, you lose.
8. **Ask questions** — This encourages the person and shows you are listening. It helps to develop points further.
9. **Don't argue mentally** — When you are trying to understand the other person, it is an obstacle to argue with her/him mentally as he or she is speaking. This sets up a barrier between you and the speaker.
10. **Share the responsibility for communication** — Only part of the responsibility rests with the speaker; you, as the listener, have an important part, too! Try to understand and if you don't, then ask for clarification.

PERSONNEL RECORDS LAW M.G.L. CHAPTER 149, §52C

Who is covered by the law?

All public- and private-sector current and former employees are covered by this law.

How do you define a personnel record?

A personnel record is any record kept by an employer that identifies an employee to the extent that the record is used or has been used or may be used relative to that employee's qualifications for employment, promotion, transfer, additional compensation or disciplinary action.

What is included in a personnel record?

- All basic employment information, such as job applications and résumés.
- Performance evaluations and related documents.
- Written warnings of substandard performance.
- Lists of probationary periods.
- Waivers signed by the employee.
- Copies of dated termination notices.
- Any other documents relating to disciplinary action regarding the employee.

How do you access your personnel record?

Any employer receiving a written request from an employee shall provide the employee with an opportunity to review his/her personnel record at the place of employment during normal business hours. The employee may also obtain a copy of his/her personnel record upon submission of a written request to his/her employer.

WHAT DO PEOPLE WANT FROM THEIR JOBS?

The following is a list of items that may contribute to employee morale

1. Good working conditions.
2. Promotion in the organization.
3. Interesting work.
4. Feeling of being in on things.
5. Full appreciation of work done.
6. Help on personal problems.
7. Tactful discipline.
8. Respect and fair treatment by the supervisor.
9. Job security.
10. Appropriate wages for knowledge, skill and level of responsibility.
11. Various opportunities to use knowledge and skills.

Remember that as the association representative, whenever you need information about the environment or the wants and needs of members, **ASK THEM!**

THE 10-MINUTE WORK-SITE MEETING

The objectives of the 10-minute meeting are to

- Encourage two-way communications between the association and its members.
- Seek involvement in the association's programs and decision-making.
- Share and celebrate association successes/victories.

A 10-minute meeting might look like this

0-3 minutes:

Report what the association is doing. Focus on only the most relevant information. Then briefly identify other important issues and let members know you are willing to discuss these after the meeting if they so desire.

3-9 minutes:

Emphasize members' involvement. Seek input regarding the presented information. Ask for volunteers to meet association program needs and/or identify other issues/problems of concern to them.

9-10 minutes:

Share something positive with your members — an association success or victory.

Keys to success

1. Explain/review the purpose and objectives of the 10-minute meeting.
2. Explain that the meeting will never be more than 10 minutes long.
3. Let members know that you will be available after the meeting to continue a discussion or hear additional input; reinforce that you won't violate your 10-minute-meeting contract.
4. Let members know that if they want to schedule another meeting to discuss issues and concerns in more depth, you are willing to do that.
5. If necessary, develop group norms around member participation during the meeting.
6. Start on time and end on time.
7. Remember, it's the members' meeting, too, so if they want to vary the agenda, that's their prerogative.

NEA PROGRAMS AND SERVICES

The National Education Association is the members' lobbyist for education on the national level, provides extensive research on educational issues and collective bargaining, publishes myriad books and other materials to help teachers teach, provides legal defense, makes general field assistance available and is a national leader in human and civil rights.

NEA also:

- Helps fund the MTA UniServ program with \$37,048 per field representative in 2011-2012 — a total of \$1,667,160.
- Provides \$148,200 to fund a program to support part-time field representatives.
- Provides financial reimbursement to MTA for legal services to its members — projected to be \$1,250,000 in 2011-2012.
- Provides more in financial assistance to MTA for specific projects dealing with higher education, ESPs, retirement, release time, minority leadership, political action and other issues.
- Performs comprehensive assessments of locals, upon request, to enable them to provide better services to their members.
- Provides MTA/NEA members with Complimentary Life Insurance, and accidental disability and dismemberment insurance, upon request. *The \$1,000 life insurance benefit applies only to active and reserve members. Retired members do not receive this benefit.*
- Provides every MTA/NEA member with \$1,000,000 worth of liability protection:
 - \$1,000,000 per occurrence, other than civil rights issues.
 - \$300,000 per occurrence for civil rights issues.
 - \$35,000 per occurrence in attorney reimbursement fees for defense of criminal charges.
 - \$1,000 bail bond — per bond.
 - \$500 for assault-related personal property damage — per assault.
 - Payment of all medical expenses to the injured party.*
 - Reimbursement for all reasonable expenses.

*Coverage applies anywhere in the world.

NEA also provides surveys for locals at no cost, including both administration and analysis. These include surveys on instructional needs, local association programs, staff satisfaction, contract compliance, building administrator evaluation, central office administrator evaluation and a teacher rights inventory.

Finally, there are a number of training programs available, including workshops on recruiting and motivating volunteers, conflict resolution, consensus decision-making, minority involvement and teacher image.

Should you be interested in any of these programs, please call your local MTA Service Center.

THE MTA ANNUAL MEETING OF DELEGATES

The Annual Meeting of Delegates is normally held during the month of May.

The Annual Meeting is composed of delegates apportioned by MTA and elected by and from the local, county and state affiliates, ethnic minority representatives elected from the electoral region and statewide retired district delegates, as well as the MTA Board of Directors. The proceedings are governed by *Robert's Rules of Order, Newly Revised*, and the *MTA Bylaws and Standing Rules*.

The delegates to the Annual Meeting have the following duties:

- Elect the president, vice president, Executive Committee members, Board of Directors, the at-large director for ethnic-minority membership, at-large director for education support professionals and the statewide retired district-director(s).
- Establish the level of annual dues.
- Adopt the annual budget of the association.
- Exercise final authority in all matters of the association, except as otherwise provided in the bylaws or by statute.
- Amend the bylaws of the association.
- Adopt the agenda and the rules governing the meetings.
- Act on new business items submitted.
- Enact all other such measures as may be necessary to achieve the goals and objectives of the association which are not in conflict with the bylaws.
- Have jurisdiction over the accreditation of delegates and alternates at the Annual Meeting.
- Fill interim vacancies that occur on the board by mail ballot.

THE NEA REPRESENTATIVE ASSEMBLY

The NEA Representative Assembly, known familiarly as the “RA,” is the annual meeting of the National Education Association. It is normally held in late June and early July.

The RA is composed of delegate/members of the association and derives its powers from, and is responsible to, the membership.

Delegates to the RA from local and state affiliates are apportioned and elected in accordance with the provisions of the NEA Constitution and Bylaws.

The RA performs these functions: establishes policies and objectives; elects the president, vice president, secretary-treasurer, at-large members of the Board of Directors and members of the Executive Committee as provided in its Constitution and/or Bylaws; adopts the annual budget; establishes dues; approves or ratifies the establishment of subsidiary corporate structures; exercises final authority in all matters of the association; amends the NEA Constitution and Bylaws; and enacts such other measures as may be necessary to achieve the goals and objectives of the association that are not in conflict with the NEA Charter, Constitution, or Bylaws.

MTA AND MINORITY INVOLVEMENT

MTA is strongly committed to the full participation of ethnic minority members in leadership and organizational activities. To achieve greater levels of ethnic minority membership involvement, MTA supports an ambitious series of policies and programs that include:

The Ethnic Minority Affairs Committee (EMAC)

Ethnic Minority Affairs Committee: This nine-member standing committee regularly communicates the concerns of ethnic minority members to the MTA president, Executive Committee and Board of Directors and annually reviews the MTA Minority Involvement Plan. The plan defines ethnic minority members as Native American/Alaska Native, Asian/Pacific Islander, Black, Cape Verdean and Latino.

Leadership Training and Involvement Programs: EMAC, with the assistance of MTA and NEA professional development resources, provides unique opportunities to prepare ethnic minority members for greater involvement at the local, state and national levels. Minority leadership training programs, presented by the committee's cadre of experienced trainers, develop specific skill areas, such as political involvement and communications, and provide in-depth information about state and local organizational structure and opportunities to participate. In addition, the EMAC mini-track at the Summer Conference brings people of color and non-minority members together for a statewide interchange of ideas and issues.

Involvement in MTA governance

Board of Directors and Committees: In addition to the at-large ethnic minority seat on the MTA Board of Directors, an MTA bylaw guarantees that all MTA standing committees have ethnic minority representation. MTA bylaws also provide for proportional ethnic minority representation at the MTA Annual Meeting.

Organizational policy to ensure ethnic minority participation in NEA: NEA Bylaws establish that ethnic minority members shall be included in each state's delegation to the annual NEA Representative Assembly in an amount minimally equal to “... the proportion of identified ethnic minority populations within the state.” MTA’s Minority Involvement Plan — including the Ethnic Minority Affairs Committee, specialized training programs and communications through MTA publications — is designed to implement that policy.

For more information, contact George Luse, staff consultant, Ethnic Minority Affairs Committee, MTA, 50 Salem Street, Bldg. B Suite 9, Lynnfield, MA 01940. Telephone: 781.246.9779.

STRATEGIC ACTION PLAN

The MTA is on the move, systematically educating, organizing and mobilizing our 110,000 members to meet the challenges of today and the needs of tomorrow.

By engaging and activating our members under the guidance of our **Strategic Action Plan**, we are building our organizational power and our strength.

One key priority is to increase the voice of educators in the policy, political, legislative and regulatory processes at the local and state levels as we advocate for quality public education and the needs of our students. To make this happen, we are putting two essential structures in place. Our **Full Capacity Local Initiative** is helping local associations and chapters maximize their ability to advance their members' professional goals and represent the needs of students in advocacy, political action and other areas. It goes hand in hand with a program that is creating **Legislative and Political Action Teams** and recruiting local **Political Action Leaders** to work in concert with them.

As we address our changing environment, we are changing the way we approach our work. As always, the MTA will deliver — and work to improve — core union services, such as bargaining and grievance support. But we recognize that our membership is changing, and the economic, political and professional climate in which we operate sets increasingly daunting challenges for public education. We are determined to meet these challenges head-on.

As it always has, our power resides in our members — informed, unified and active members. Every day, they bring to life a vision of quality education through their great commitment, creativity and passion for their students, schools, colleges and communities. This is the basis for both our success and our renewal as a union. The more member-driven we become in everything we do, the stronger we will be on all fronts.

Full Capacity Local Initiative

One of the central concepts of the MTA's Strategic Action Plan is the vision of the "full capacity local association."

A full capacity local is vibrant and sets clear goals. It is a healthy organization that successfully engages large numbers of its members in key areas — including advocacy and political action — to advance their interests as professionals. It welcomes members and lets them know that their participation is meaningful.

Among other attributes, a full capacity local:

- Advocates for members via collective bargaining, grievance and arbitration processing and enforcement of legal rights.
- Is recognized as the "voice of education" by members, parents, community leaders and the media.
- Has numerous leaders who are seen by members as trailblazers in important areas.
- Has many members who understand and can articulate the role of unions in creating a just society.
- Has leaders and members who are actively engaged in the political process at the local and state levels, model political engagement to others and actively participate in the MTA candidate recommendation process.
- Has a political action structure and members who are trained to take part in campaigns and lobbying.
- Has strong bylaws, transparent financial and membership systems and a firm commitment to meeting its legal and fiduciary obligations.

- Is dedicated to long-range planning, with meaningful involvement at all levels by leaders and members alike.
- Has an intentional program for eliciting and addressing the concerns, values and goals of new members, thereby generating leadership for the future.

MTA locals across the state have been asked to conduct assessments of their capacities in these areas and others. These locals are the forerunners of a much larger effort in which the MTA will seek to work with every local and chapter to build the vision, the structures and the broad base of involvement that our members and our students need and deserve.

Legislative and Political Action Teams

At the heart of MTA's efforts to increase member involvement in legislative and electoral politics are our Legislative and Political Action Teams. The LPATs are structured around the Legislature and based in each of the 40 Senate districts around the state. They are designed to empower members, strengthen our relationships with each other and our legislators and advocate for the MTA's legislative and political agenda. They are working closely with Political Action Leaders – PALs – who represent local associations and chapters.

Each LPAT is led by a coordinator who has been through extensive training to prepare for the role. Those who serve on LPATs include active members and retirees, teachers and higher education faculty, professional staff and education support professionals.

The PALs, like the LPATs, are vital to our success. They are charged with creating local communications networks, organizing and recruiting members and lobbying. Each local president is asked to appoint a PAL for his or her association or chapter.

The degree of our success depends in large measure on you, in your role as an organizer, as well as the many others involved in this energizing renewal process. We urge you to encourage all of your members – including those new to the MTA – to help us transform our association, using the Strategic Action Plan as a guide. For additional, information, please consult your field representative.

Working together, we can make a difference and help shape a bright future for our students, our members and public education.

To read the MTA Strategic Action Plan, please visit the Members Area of our website, www.massteacher.org.

MTA/NEA AND ADMINISTRATORS

The affiliation of MTA and school building administrators goes back to 1845 and is as old as the organization itself. Today, MTA remains dedicated to the proposition that the relationship between administrators and teachers is at the heart of effective education.

MTA is proud that common membership in its local affiliates provides a bond that helps strengthen this teacher-administrator relationship. This relationship is increasingly important in light of the significant changes wrought by education reform.

Anyone weighing the benefits of MTA membership needs to carefully consider MTA's organizational strength and experience in areas of collective bargaining, legislative activity, professional development and research compared to the strength and experience of other organizations. Furthermore, the scope of legal services offered to MTA members far surpasses that offered by other organizations. For example:

MTA provides free legal services in the following areas:

- Litigation over the loss of your job.
- Employment discrimination (age, sex, race, religion, national origin, etc.).
- Unemployment benefits.
- Health insurance.
- Retirement benefits.
- Violation of your civil rights as an employee.
- Defense against child abuse charges filed with the state Department of Social Services.
- Workers' Compensation.
- Litigation involving health and safety in the workplace.
- Assistance in bringing criminal charges if you are assaulted at work.
- Open meeting law violations adversely affecting you.
- Violations of your right to privacy.

1. MTA/NEA members are covered by an insurance policy that provides \$1,000,000 in coverage to protect you in the event you are sued in connection with your employment, under terms specified in the Educators Employment Liability Policy.
2. MTA/NEA members who are charged with crimes that are alleged to have occurred in the course of their employment are entitled to assistance from MTA in defraying the legal costs they incur in defending against those charges. Members who are acquitted of criminal charges will also be reimbursed up to \$30,000 in criminal defense fees.
3. MTA provides its members access to reduced-fee legal services for non-employment legal problems. Under its attorney referral program, MTA provides members with up to three free half-hour consultations for general legal advice and up to a 30 percent fee reduction in legal matters including real estate, domestic relations, wills and estates, consumer protection and motor-vehicle violations.
4. MTA members have the benefit of discount group purchasing of life and auto insurance, travel, mortgage refinancing, vision care, tax and financial preparation and other services through MTA Benefits.

MTA knows that its continued effectiveness as an organization — like the effectiveness of education itself — requires a team of educators, including administrators, who enjoy and exercise the full rights of professionals. MTA also knows that these rights can only be preserved through active collaboration. MTA remains dedicated to continuing and strengthening this collaboration.

MTA/NEA AND EDUCATION SUPPORT PROFESSIONALS (ESPs)

Education support professionals (ESPs) comprise a critical part of the education team — school secretaries, custodians, bus drivers, teacher aides, food service personnel, library aides, laboratory technicians, telephone operators, medical records personnel, bookkeepers, accountants, mailroom clerks, computer programmers, audio-visual technicians and others.

As part of the school family, teachers, education support professionals and administrators work in concert to ensure that students receive a quality education. Membership in the MTA and NEA helps everyone do a better job.

What MTA/NEA offers ESP members

ESP members become part of an organization that understands their needs and brings them recognition and protection they deserve. In 2000, delegates to the MTA Annual Meeting voted to create an at-large seat on the Board of Directors to represent ESPs, thus making support personnel a more integral part of the MTA decision-making structure. The same year, the MTA Board of Directors created a field position dedicated to serving ESPs.

In 2010, Annual Meeting delegates voted to add an at-large ESP seat to the MTA Executive Committee.

What ESPs can gain

Many of the education support professionals who have joined MTA/NEA enjoy benefits that far exceed those of non-member school service personnel.

Examples of employment gains that the union has negotiated for ESP members include:

- Pay equity.
- Sick leave benefits.
- Accurate job descriptions and job reclassifications.
- Increased vacation time.
- Uniform allowances.
- Tuition waivers for members and their families in higher education.
- Additional health insurance benefits for higher education ESP members through an employer-paid health and welfare trust fund.
- Fair evaluation systems.
- Strong job protections against unfair actions by employers.

Why ESP members join MTA/NEA

There are thousands of ESP members in MTA/NEA. As members, they add their voices to those of their colleagues, strengthening MTA/NEA efforts to secure better wages and working conditions. MTA/NEA dues provide ESPs and their co-workers with the assistance they need, when they need it.

Special ESP training programs

MTA provides special free training programs designed specifically for ESP members. Topics include: the ins and outs of civil service, contractual rights, preparing for negotiations and understanding the MTA structure and governance.

MTA/NEA AND VOCATIONAL EDUCATION

Over the past few years, thousands of vocational education personnel have become members of MTA/NEA, the only union devoted exclusively to representing the interest of *all* educational personnel.

Why vocational educators join MTA

As members, vocational educators add their voices to those of their colleagues to strengthen MTA/NEA efforts to secure better wages and working conditions.

MTA provides local associations with experienced staff who understand the problems unique to vocational schools and who have expertise in meeting their needs as vocational educators.

MTA is always on the job

MTA maintains six regional offices across the state, so assistance is always close by. An MTA representative is always available to the local association.

MTA provides professional negotiators who help bargain contracts and who help ensure enforcement of their provisions. After your contract has been bargained, MTA provides skilled staff members who handle all aspects of contract enforcement and any grievances that may arise.

Some examples of employment gains that local associations and MTA have negotiated for vocational educators are:

- *Compensatory time* provisions, which ensure that vocational educators who substitute for absent teachers (and thereby guarantee that quality education is maintained) are compensated.
- *Options for completion of professional development requirements* for vocational educators and reimbursement for those requirements.
- *Salary schedules that allow vocational educators to apply practical experience toward step increases* and which allow rapid advancement toward maximum level.
- *Workers' Compensation provisions and group disability benefits included in collective bargaining agreements.*

MTA — the leader in vocational education

MTA is recognized as a leading advocate for vocational education issues. Through MTA, vocational/technical faculties are effectively represented in the Legislature and at the state Department of Elementary and Secondary Education. It was MTA that first promoted the establishment of specified time requirements for related theory instruction.

It is MTA that continually takes the lead in lobbying for bills that enhance vocational education. MTA regularly addresses voc-ed issues as part of its annual legislative program.

MTA Benefits – The Year at a Glance

MTA Benefits – a wholly owned subsidiary of the MTA – is a great source for insurance, financial, security, travel and everyday savings. MTAB is committed to bringing members the very best value for their hard-earned dollars. We've researched, evaluated and partnered with companies to bring members exceptional programs and everyday savings. Members can easily save the equivalent of their association dues and more each year by taking advantage of the discount programs available through MTAB.



Here are some MTAB offerings to consider throughout the year.

January

- Members with kids who are heading back to college may want to remove them from an auto insurance policy now. Call 888.908.6822 to reach MTAB's preferred agency, Educators Insurance Agency. If members aren't currently insured through EIA, now is a good time to learn more.
- Consider a tax-sheltered annuity (TSA) this year and start saving for retirement. Visit mtabenefits.com for more information.

February

- MTAB's life insurance program through SBLI offers low-cost, reliable life insurance customized for MTA members, with guaranteed level premiums for up to 30 years. To learn more and get a quote from SBLI, visit MTAB's website and select "Life Insurance" under "All Benefits."
- BJ's club membership savings! New and renewing members can receive an MTA discount, which provides a \$10 savings on the annual membership fee and three free months so members can take advantage of 15 months for the price of 12, as well as a free household member card. From Feb. 1-29, BJ's membership applications will be available on the MTAB website under "PDF's and Links" in the Members Only section.

March

- Local associations that participate in the MTA Disability Insurance Plan can schedule on-site enrollment meetings for members during the months of March, April and May. Find out if your local is part of this important benefit program by calling 888.646.1972.
- Members who are purchasing homes or looking to refinance existing mortgages should take advantage of the MTA's Home Mortgage Program with Greenpark Mortgage. Call Greenpark at 866.475.4663 for "raving fan" service.

April

- Orlando is a popular destination for April school vacation. Members heading to the Florida sun should consider the savings available through MTAB at hotels, resorts, vacation homes, attractions and dinner shows at Disney World. For more information on discounts on attractions and accommodations, call 866.463.0378 or visit the Travel & Vacations section of mtabenefits.com.
- A new discounted fee-for-service program can help reduce out-of-pocket medical expenses associated with traditional insurance plans such as expensive prescriptions, high deductibles and co-pays, plan exclusions and benefit maximums. **This program is not insurance** but provides access to a variety of health-related services for one low monthly fee. Look for Health Savings Package under the "All Benefits" menu on mtabenefits.com.

May

- Family members are eligible for many MTAB benefits including auto and home insurance, credit cards, mortgages, and travel. Click on “Family Members” under “Members Only” on mtabenefits.com.
- Need summer reading material? Consider the magazine subscription discount program on mtabenefits.com.

June

- Summer is a great time to take advantage of savings on hotels, car rentals, museums, theme parks and other attractions available to MTA members. For local discounts, look to the MTA Benefits & Discount Directory or check out the more than 250,000 discounts nationwide that are available through ACCESS. Visit mtabenefits.com for all the details.
- MTA Benefits offers a traditional dental insurance plan through MetLife Insurance. The plan also includes a vision discount program. Two discount dental plans are also available through Employee Security, Inc. For a comparison of the discount plans, visit estiinc.net/mta/plans.htm.

July

- Prepare for winter now by getting more information on the MTA heating oil discount program at heatusa.com/mta/.
- Save your life – or that of a family member – with MTAB partner Life Line Screening, a leading provider of community based preventive health screenings. MTA members receive a discount on a screening package that offers four tests for just \$135. Visit lifelinescreening.com/mta.

August

- Back-to-school specials are plentiful with ACCESS and the MTA Discount Directory. Find everything from classroom supplies and clothing to dorm room accessories and wireless services. Find announcements and links at mtabenefits.com.
- Protect your important documents and photos with Mozy, MTAB’s online computer back-up program. Breathe easy knowing all of your important data is securely backed up and ready to be restored when you need it. As an added bonus, MTA members save 15 percent!

September

- New members may consider MTAB’s term life insurance program, available only to those who joined the MTA after August 1, 2012. This affordable program is available through the Boston Mutual Life Insurance Company. For more information visit, mtabenefits.com/MTABenefits/AllBenefits/LifeInsurance/TermLife-NewMembers.aspx.
- Subscribe to the *Quick Takes* e-newsletter for all late-breaking deals, discounts, online offers, giveaways and special events for members. Sign up at mtabenefits.com, click on “Members Only” then click on MTAB Giveaways from the dropdown menu.

October

- MTAB’s preferred provider of auto and home insurance, Educators Insurance Agency, offers up to a 10 percent discounts on auto insurance plus access to other savings as well as superior service – specifically designed for the education community. EIA also offers insurance for homes, boats, pets and umbrella coverage. Visit the MTAB website or call EIA at 888.908.6822 to obtain a no-obligation quote.
- Members now have a choice in MTA credit cards. Select from the new MTA® Cash Rewards Visa Signature® Card or the MTA® Credit Card with WorldPoints® rewards. Learn more on MTAB’s website by clicking on “Credit Card” under “All Benefits.”

November

- Planning for school vacations? Check out the MTA Vacation Center for exciting worldwide tours and fun-in-the-sun getaways to Mexico, Bermuda, the Caribbean or Walt Disney World Resort. For more details, visit mtavacations.com.
- Celebrate American Education Week, November 11-17, 2012, by entering MTAB's special online giveaway. Visit mtabenefits.com/login.aspx?ReturnUrl=/MTABenefits/MembersOnly/MTABGiveaways.aspx to enter, find out what the prize is and get the dates other giveaways throughout the year.

December

- Identity thieves can wreak havoc on one's financial future. MTA members can receive a 10 percent discount on identity theft protection from LifeLock.
- Looking for gift ideas for the holidays? Members can save with their MTA membership cards. Check the What's New section at mtabenefits.com for stocking stuffer and gift ideas.

How to Reach MTA Benefits

Mailing Address:

MTA Benefits, Inc.

20 Ashburton Place

Boston, MA 02108-2795

800.336.0990

requests@mtabenefits.com

mtabenefits.com

For Auto and Homeowners insurance, contact our preferred agency:

Educators Insurance Agency

440 Lincoln Street

Worcester, MA 01653

888.908.6822

Fax: 508.926.5810

Insurance@IEIA.com

MTA Benefits is a wholly owned subsidiary of MTA. MTAB stands behind you – our MTA member. Program revenues provide benefits, service and consumer education materials for members. No member dues are ever used to market MTA benefit programs. All MTA benefit programs, pricing and information described above were current at the time of publication in December 2011 and are subject to change without notice. To find out what may have changed, please contact MTAB at 800.336.0990

DIRECTIONS TO MTA SERVICE CENTERS

AUBURN SERVICE CENTER

48 Sword Street
Auburn, Massachusetts 01501
Phone: 800.542.5504

From Massachusetts Turnpike

- From the Massachusetts Turnpike take the Auburn exit onto I-290 East.
- Exit from Interstate 290 at the Swanson Road Exit. Take right at the end of ramp.
- Continue to first intersection. Take a left at lights onto Route 12.
- Left turn onto Sword Street — also marked with a sign saying “Auburn Industrial Park,” and across from a bowling alley.
- 48 Sword Street is the first building on left; MTA office is on the second floor on the right-hand side of building.

BRAINTREE SERVICE CENTER

100 Grandview Rd., Suite 320
Braintree, Massachusetts 02184
Phone: 800.479.1410

From Route 128

- From Route 128 to Exit 6 (Braintree).
- At lights, take right onto Forbes Road to Sheraton-Tara.
- Pass Tara; take left up Grandview Road to Corcoran Building.

LYNNFIELD SERVICE CENTER

50 Salem Street
Lynnfield, Massachusetts 01940
Phone: 800.421.3332

From Route 128 North

- Take Exit 42, go left off ramp onto Salem Street.
- Continue 1/2 mile to 50 Salem Street on left.

From Route 128 South

- Take Exit 43, go left off ramp and then right at the lights.
- Proceed a few hundred feet to 50 Salem Street on right.

RAYNHAM SERVICE CENTER

90 New State Highway (Rt. 44)
Raynham, Massachusetts 02767
Phone: 800.336.1118

From Route 128 or Route 3

- From either Route 128 or Route 3, take Route 24 South.
- Exit from Route 24 South at Exit 13B, which is Route 44.
- Stay in right-hand lane after exit — the building is on the right.

HOLYOKE SERVICE CENTER

55 Bobala Road, Suite 3
Holyoke, Massachusetts 01040
Phone: 800.432.1117

From Massachusetts Turnpike

- From Mass. Pike take Exit 4 to Interstate 91 North. Follow I-91 North to Exit 15.
- Take Exit 15 toward Ingleside, staying in the outer lane as you make a left onto Lower Westfield Road.
- Go through one light. At next light, turn left onto Homestead Road, which will become Whitney Avenue. Follow Whitney Avenue to the railroad tracks.
- After the tracks, take the next right onto Bobala Road, then take the next right going up the hill to the site. The entrance is on the left side of the building.

PITTSFIELD SERVICE CENTER

188 East Street
Pittsfield, Massachusetts 01201
Phone: 800.464.8088

From the North:

- Follow Route 7 to First Street. Follow First Street to the end and turn left onto East Street.
- Take an immediate right onto Bartlett Avenue — Berkshire Athenaeum is on the corner — and follow to the first intersection, which is at a stop sign, and turn left onto East Housatonic Street.
- Take a left at next side street onto Pomeroy Avenue, a one-way street.
- Follow Pomeroy Avenue, staying left to turn into the parking lot behind the MTA office. The parking lot is on the left-hand side of the street, facing East Street. The MTA office is in the same building as Yantovsky Dentistry.

From the South:

- Follow Route 7 and 20 to downtown Pittsfield.
- Take a left onto East Housatonic Street at the intersection before the Colonial Theatre and turn left onto Pomeroy Avenue, which is a one-way street.
- Follow directions listed above from Pomeroy Avenue.

From the East:

- From Allendale Shopping Center in Pittsfield, go to East Street and take a left at the intersection just before Pittsfield High School on Appleton Avenue.
- Follow Appleton Avenue to the first intersection at Appleton Avenue and East Housatonic Street. At the traffic light, turn right onto East Housatonic Street, take your first right onto Pomeroy Avenue, which is a one-way street.
- Follow directions listed above from Pomeroy Avenue.

MTA DIVISION OF AFFILIATE SERVICES STAFF

Management Staff

Ronald Suga, Director of Affiliate Services and Manager of the Raynham Office

Taylor Brennan, Manager of Auburn, Holyoke and Pittsfield Offices

Timothy Fitzgerald, Acting Director of Higher Education
Mark Sheehan, Manager of Lynnfield and Braintree Offices

Nancy Stolberg, Grassroots Campaign Manager

Administration

Constance Talbot, Affiliate Services Administrator

Renee Gatewood, Coordinator

Higher Education

Consultants:

Elizabeth Boyer

Catherine D'Urso

Michelle Gallagher

Donna Siritus

Miles Stern

Maura Sweeney

Robert Whalen

Associate Staff:

Patricia Johnson, Coordinator

Kathleen Messing, Secretary

Research

David M. Danning, Research Director

Coastal Region

Braintree Service Center

Consultants:

Ashley Adams

Donna DeSimone Buckley

Stevens Day

Dorine Levasseur

Jacqueline McDonough

Brendan Sharkey

Elliot Small

Associate Staff:

Linda Ferrari, Coordinator

Winifred Peterson, Secretary

Lynnfield Service Center

Consultants:

Anne Campbell

Jill Coleman

George Luse, Training and Organizing Coordinator

Lisa Nazzaro

Charles Stevens

Camille Visconti

Theiss E. Winkler

Associate Staff:

Susan Daly, Secretary

Karen Horner, Secretary

Raynham Service Center

Consultants:

Joy Robbins Beckwith

Henry Burbine

Roberta James

Phil Katz

Jeffrey Morassi

Ellen Suarez

Frederick White

Associate Staff:

Donna Fenelon, Secretary

Cheryl Singleton, Secretary

Western Region

Auburn Service Center

Consultants:

Louis Cornacchioli

Stephen Davis

Lois Mason

Jason Mathes

Paul Ryan

Nancy E. Robbie, Education Support Professionals Organizer/Consultant

Michael Sireci

Ann M. Sullivan

Associate Staff:

Carolyn Himotto, Coordinator

Becky Austin, Secretary

Holyoke Service Center

Consultants:

Nancy deProssé

Frederick M. Doherty

MaryAnne Kuroczko

George J. Shea

Carol Wasserloos

Associate Staff:

AnneMarie Kelley, Secretary

Carol Shaird, Secretary

Pittsfield Service Center

Consultants:

Alexander Lomaglio

Cindy Polinsky

Associate Staff:

Patricia M. Baczek, Secretary

DUES SHEET
MTA/NEA MEMBERSHIP DUES
July 1, 2011-June 30, 2012

MTA Bylaw: Full-time dues and part-time dues percentages are based upon membership category.

FULL-TIME DUES

Active Membership	MTA	NEA
Teachers/Faculty/Administrators/Guidance Counselors	\$471.00	\$178.00
School Nurses	\$471.00	\$178.00
Secretaries/Clerks/Custodians	\$283.00	\$106.50
Paraprofessionals/Cafeteria Workers/Bus Drivers/Other ESPs	\$142.00	\$106.50

PART-TIME DUES

	MTA	NEA
Active members employed 50% or less of full-time position (for the full year)		
Active Professional Members	\$235.50	\$99.00
Active Secretaries/Clerks/Custodians	\$141.50	\$63.50
Active Paraprofessionals/Cafeteria Workers/Bus Drivers/Other ESP Members	\$71.00	\$63.50
Employed 25% or less for the full year (NEA only)		
Active Professional Members	\$235.50	\$59.75
Active ESP Members	\$71.00	\$42.00
Active members who are employed by the UMass Trustees or by the Board of Higher Education in less than 50% of a full-time position pay 30% of active member dues.	\$142.00	\$99.00
OR who teach less than three (3) credits per semester pay 15% of active member dues. Evidence of part-time employment must be presented.	\$71.00	\$59.75
Active members who are involuntarily terminated and who are litigating the termination under the MTA legal services policy, pay 1/2 dues while litigation is pending.		
Active Professional Members	\$235.50	\$99.00
Active Secretaries/Clerks/Custodians	\$141.50	\$63.50
Active Paraprofessionals/Cafeteria Workers/Bus Drivers/Other ESP Members	\$71.00	\$63.50
Persons on leave of absence are eligible for active membership. If leave is paid, full MTA/NEA dues are required. However, active members on unpaid leave of absence for the full year pay 15% MTA dues and 50% NEA dues.		
Active Professional Members	\$71.00	\$99.00
Active Secretaries/Clerks/Custodians	\$42.45	\$63.50
Active Paraprofessionals/Cafeteria Workers/Bus Drivers/Other ESP Members	\$21.30	\$63.50
Active members laid off due to a reduction in force or who are on a full-time unpaid leave of absence pay 15% of the annual dues of full-time active members.		
Active Professional Members	\$71.00	\$99.00
Active Secretaries/Clerks/Custodians	\$42.45	\$63.50
Active Paraprofessionals/Cafeteria Workers/Bus Drivers/Other ESP Members	\$21.30	\$63.50

DUES REDUCTION BASED ON EMPLOYMENT DATE

Active members whose employment starts after one of the following dates shall pay their annual dues according to this schedule:

	MTA	NEA
After Nov. 14, pay 3/4 dues	\$353.25	\$138.50
After Feb. 1, pay 1/2 dues	\$235.50	\$99.00
After April 14, pay 1/4 dues	\$117.75	\$59.75

This section does not apply to part-time active members employed by the UMASS Trustees or the Board of Higher Education.

MEMBERS EARNING MINIMAL BASE SALARY OR MINIMAL ANNUAL INCOME

An active member whose base salary for the employment that qualifies him or her for MTA active membership or an active member whose annual income due to an unpaid leave of absence from the employment that qualifies him or her for MTA active membership is:

	MTA	NEA
Less than twelve thousand dollars (\$12,000) pays 30% of the active membership dues. (MTA ONLY)	(30%) \$142.00	(50%) \$99.00
Less than six thousand dollars (\$6,000) pays 15% of the active membership dues. (MTA ONLY)	(15%) \$71.00	(25%) \$59.75

ALL ACTIVE MEMBERS MUST BE UNIFIED. This means members must join the local association, if available, and the state and national associations.

Once a person signs a membership card, he or she is responsible for paying a full year's dues (July 1 to June 30) whether the payment is made in cash or by payroll deduction. Active members who are employed for half a year (until January 31) will be assessed half MTA/NEA dues. Active members who terminate employment after January 31 are responsible for full dues payment. A sixty-day written notice of termination of payroll deduction is required by law. However, this in no way affects the responsibility for the payment of full dues.

ASSOCIATE MEMBERSHIP

Associate members are those other persons interested in the advancement of the cause of education who are not eligible for active membership. Upon return to teaching or other educational service, status and dues will revert to Active Membership. Associate members do not have the privilege of voting or holding office.

ASSOCIATE MEMBERSHIP	MTA	NEA
Associate Members	\$235.50	
NEA SUBSCRIBER (optional)		NEA
NEA Subscriber is no longer processed through state affiliates. If you wish to subscribe, contact the: NEA Professional Library Distribution Center 1650 Bluegrass Lakes Parkway Alpharetta, Georgia 30004-7753 800.229.4200		

FAMILY MEMBERSHIP

MTA Family Membership is available to the mother, father, sisters, brothers, sons, and/or daughters of an Active or Retired member: 1) who are not residing in the member's household, and 2) who are not themselves otherwise eligible for Active membership, and 3) who are sponsored by an Active or Retired member. The above-named individuals and the spouse or domestic partner of a deceased Active or Retired member may also be Family Members. Benefits of membership are limited to special services programs for which the Family is eligible.

FAMILY MEMBERSHIP	No charge	
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STUDENT MEMBERSHIP

Student members are those who hold membership in the Student Education Association of Massachusetts. Any student enrolled at an approved teacher-preparation institution in the State of Massachusetts shall be eligible for membership.

STUDENT MEMBERSHIP	MTA	NEA
Student Member	\$12.00	\$15.00*
* Rebate of \$20.00 given upon entering the profession and becoming an active member of an NEA affiliate the first year after graduation.		

RETIRED MEMBERSHIP

Eligibility for enrollment in MTA Retired Life Membership is open to current retired members. Retired members must join both MTA and NEA to fulfill unification requirements. All retired members are enrolled directly through the MTA. A person eligible for any category of Active Membership is not eligible for retired membership.

Please note members who are already Life Members remain MTA members in good standing upon retirement and pay no further MTA dues, but should choose an NEA-R membership if they wish to be enrolled in the Retired category. NEA Life Active Membership is also continued upon retirement but is not applicable to the Retired category. Therefore, NEA Life Active members must choose both an MTA-R and an NEA-R membership if they wish to be enrolled in the Retired category.

Pre-paid MTA-R Life Membership

The right to pre-pay MTA-R Life Membership is open to any active member who is at least 40 years of age.

RETIRED MEMBERSHIP	MTA-R	NEA-R
MTA-R Annual dues	\$30.00	
NEA-R Annual dues		\$25.00
MTA Retired Life dues (Lump Sum Payment)	\$345.00	
NEA-Retired Life Membership is available to all members both retired and pre-retired by direct application to MTA. NEA-Retired Life Dues (Lump Sum Payment)		\$200.00

HOW 2011-2012 MTA DUES DOLLARS ARE ALLOCATED

It takes a lot of money and muscle to provide the basic services required by members. MTA dues offer members a strong team of experienced negotiators at the bargaining table, expert legal defense, a skilled lobbying force, a trained staff, accomplished public relations practitioners and many additional programs that make it possible for MTA and its 110,000 members to function as the strongest public employee union in the commonwealth.

SERVICES PROVIDED	TEACHERS, FACULTY & ADMINISTRATORS	SECRETARIES, CLERKS & CUSTODIANS	PARAPROFESSIONALS, FOOD SERVICES PERSONNEL & OTHER ESPS
General field assistance for educators in K-12 and higher education from six MTA Service Centers and the Division of Higher Education in the areas of collective bargaining, grievance processing, organizational development, crisis resolution, assistance in representation elections and organizing new areas of membership.	\$173.81	\$104.44	\$52.22
Legal assistance at all levels of education involving the protection and enforcement of the rights of educators.	\$45.58	\$27.39	\$13.69
Full-time representation at the State House and a voice in all legislative matters affecting education, teacher welfare and public employee rights.	\$29.44	\$17.69	\$8.84
Program assistance for in-service education and professional development, and conferences and training for all aspects of association activity.	\$17.86	\$10.73	\$5.37
Support for local offices and/or related expenses, including compensation for full- or part-time presidents.	\$20.00	\$12.02	\$6.01
Research services on municipal/state finance and other aspects of the education budget, contract analysis and other educational information.	\$3.59	\$2.16	\$1.08
<i>MTA Today</i> , massteacher.org, and a wide range of assistance to local associations in the field of public relations; constant contact with the media, general public and outside agencies.	\$22.89	\$13.75	\$6.88
Public Relations/Organizing Campaign	\$25.00	\$15.00	\$8.00
Monies for unknown or unanticipated expenses	\$4.82	\$2.89	\$1.45
Annual Meeting, MTA Committees, Board of Directors, Executive Committee, MTA President, NEA Convention and other governance functions	\$41.51	\$24.94	\$12.47
Administration and personnel	\$19.76	\$11.87	\$5.94
Maintenance of MTA headquarters building	\$20.12	\$12.09	\$6.04
In-house services: ITS, F&A, Processing and Printing & Mailing	\$46.64	\$28.02	\$14.01
MTA ANNUAL DUES	\$471.00	\$283.00	\$142.00
The specific benefits are not always obvious to the membership at any particular moment, but each elected leader, committee member and staff person is a vital component of MTA's overall goal of providing optimum security and service to the education profession in Massachusetts.			

When something happens that you didn't bargain for... MTA is there for you!



MASSACHUSETTS TEACHERS ASSOCIATION

www.massteacher.org



NATIONAL EDUCATION ASSOCIATION

www.nea.org