President’s Corner

Dear USA members,

Last month I mentioned registering to vote and telling our family and friends about education-friendly legislators. This month I’d like to talk about how you can get involved. The MTA has 97,000 members, and most of them vote, and all of them care about public education. We the members can and do make a difference. All state senators and representatives are up for election every two years. Many of them are facing opposition this fall from candidates supported by Governor Romney. The governor is particularly eager to elect more senators who support his agenda. If he succeeds, he will have an easier time promoting bills that undermine our rights and benefits, including pensions and health care, and to cut funding for public schools and public higher education. You can get involved and help to support and elect pro-education candidates. Here are some ways you can help:

• Urge 10 friends/relatives to support pro-education candidates and remind them to vote.
• Help them get a absentee ballot if needed
• Write a check to the candidate’s campaign
• Post a lawn sign in your yard or a bumper sticker on your car.

To get more involved, contact the union office (545-0165) or me at djohnson@english.umass.edu or the candidate’s campaign office to find out how (for their contact information go to www.umass.edu/usa). Supporters often do one or more of the following:

• Hold a sign on Election day
• Participate in phone banking
• Volunteer in the campaign office

So, mark your calendars. The Primary Election is September 14, 2004, and the general election is November 2, 2004. Make your vote count and make a difference. Remember electing education-friendly legislators can make a difference in adequate funding for K to higher public education and preserving the rights that we fought so hard to attain.

In solidarity, Donna Johnson, President USA

2004 MTA Conference/Emerging Leaders Training
—Carol A. Steele, Health Services

I attended the USA/MTA Emerging Leaders Training in Williamstown August 8–12. I was impressed with the entire program, the agenda, the speakers, and the people who attended the conference. Most of the participants in my program were Massachusetts teachers, so out of 27 in my class, only 2 were ESP, Educational Support Professionals. Thanks to Donna we are referred to as professionals instead of personnel.

We had classes that included: How to Run an Effective Meeting, Contract and Bylaws, Ethics, What Would You Do?, a problem solving class dealing with our contract. In another class we had a mock MTA annual meeting led by Cathy Boudreau, MTA President. She taught us how to address the podium and how to vote during the annual meeting.

And with all this, boy did we have fun and even learned a little about ourselves through the Myers-Briggs Type Indicator test. Although I have equal parts Introvert and Extrovert, I sure had a good time dancing at the BASH, which was the last social out of many that were held.

I want to thank everyone who made it possible for me to attend this Conference and hope others will take advantage of this program.

NEA/MTA Emerging Leader Training
—Deb Warner, Health Services

As an emerging leader for both the MTA and NEA, the experiences have been rich, rewarding and undeniably worth every second.

At the NEA the topics so far have encompassed the art of leadership, enlightened leadership, change and vision, issue organizing, presentation skills, group dynamics and visibility. We also met two inspiring people, Becky Pringle from the NEA Executive Committee and Stanley Jackson (from Westfield) Vice President of the National Council for Higher...
Education. I have two more sessions to attend and look forward to.

At the MTA Leadership Conference, adding to Carol Steele’s article, we learned leadership skills, team-building, and effective communications. We ran a campaign and made a commercial. We learned about health insurance, worked on speeches, ran an election, and finally had a wonderful graduation ceremony.

I encourage others to feel the pulse of the organizations with which we are affiliated. The training, education, camaraderie, fun and the experience is unforgettable.

Fall is Here
—Elizabeth Holtzman, Faculty & Staff Assistance Program

As summer ends, with its memory of sunny days, fun vacation times and its slower pace, it can be difficult to face the transition into fall and inevitably winter. In fall the students arrive, which quickens our pace and enlivens the campus. It also increases our workload and the pace of our work. At the same time we may be getting our own children back to school—buying “back to school clothes” and school supplies and straining our budgets. Transportation schedules need to be arranged to get children to after school activities. All these responsibilities are particularly difficult for single parents.

Some people thrive at this time of year with the beautiful foliage and thoughts of the first snow. Other folks notice the shortening of the sunlight hours with dread and anticipate another difficult winter. With the stresses noted above plus the changing of the weather and decreased daylight people can begin to feel unduly pressured and unhappy.

If this is a season that is difficult for you, or you just happen to be having a difficult issue unrelated to this time of the year, I would encourage you to contact the Faculty and Staff Assistance Program. This is a place where you can receive free confidential short-term counseling. It is a place where you can vent and strategize what things you might do to make things better. We can be reached at 545-0350 to set up an appointment.

Faculty and Staff Assistance Program
—Donna Johnson, President

Over the years it has been said that the FSAP is not confidential and that we are forced by our supervisors to avail ourselves of their services. In order to confirm or deny this, Bob Whalen (MTA) and I recently met with Elizabeth Holtzman of the FSAP.

She assured us that we have been misinformed. The FSAP is confidential—unless it regards child abuse, danger to one’s self and others, or by court order. Reporting these things is mandated by law. Moreover, your supervisor cannot order you to attend. This is a strictly voluntary service and you cannot be forced to go. Should anyone tell you that you have to go to FSAP, please contact your steward or the Union office immediately, as under the USA contract it would be considered disciplinary.

That said, I would like the USA members to consider availing yourself of these services should you find the need. There is a confidentiality form that you should sign. Please don’t hesitate to contact your steward or the union office if you have any questions or concerns, we will have brochures available to mail to you.

So…You think you have a grievance? What do you do now?
—Bob Whalen, Uniserve Rep.

In the last edition of the USA Newsgram, I addressed the issue of “What is a grievance?” The USA contract defines a “grievance” in Article 27 as “an allegation by the grievant(s) or the Association that an express provision of this Agreement has been breached in its application to him/her/them.” (emphasis added) It can be a violation of specific contractual language or result from discipline imposed without just cause.

So, now you think you may have a grievance…. What should you do?

The first and most important step for members when they realize they may have a grievance is to contact your USA Steward. This point cannot be emphasized enough. Your USA Steward is your initial contact to the grievance process. Stewards are very knowledgeable about the provisions of the USA contract and how those provisions have been applied and interpreted in the past. Your steward will help you to determine if a grievance exists and file the appropriate paperwork to get the grievance process started.

Another reason to contact your steward immediately, is because the USA contract requires that a grievance be filed “not more than twenty (20) [working] days from the date of the occurrence of the event or the date which the unit member had reasonable knowledge of the event or conditions upon which the grievance is based.” This time line (or statute of
limitation) is extremely important. If the grievance is filed late, the case will be dismissed regardless of how meritorious it may be.

Again, if you have any reason to believe you may have a grievance, contact your steward immediately!!!! Better to be safe than sorry.

Once you have contacted your steward and set up a time to meet to discuss the grievance, it is helpful if you can be prepared with details. Pull together any relevant documentation regarding the issue and keep it in a file. Also, start a journal, writing down the facts that led up to the potential grievance; times, witnesses, etcetera. This will give your steward a starting point for their investigation and you will be better able to refresh your recollection of events. Add to your journal as needed throughout the grievance process.

There are also a few other suggestions that are recommended for all members.

First, read the contract. You do not have to commit it to memory. You do, however, want to be familiar generally with the types of issues covered and a sense of the provisions, so if something happens to you or a colleague, that little switch will go off in the back of your head that something is not consistent with the contract. You can always refer back to the contract for the exact language. And then call your steward!

Second, never rely on the word or interpretation of your supervisor. We have had many situations where a supervisor has told a USA member that something was not covered by the contract, or that their actions were consistent with the contract. The USA contract is our contract to interpret, not theirs. When in doubt, or if there is the slightest question, refer to the contract and call your steward!

Third, every so often check your personnel file in Whitmore to be sure there is nothing in it that should not be there. Anything that goes into your file must be addressed to you or “carbon copied” to you.

NEA News of Note—Rosemary Riley

Higher Education: The Pell Grant maximum award would be frozen at $4,050 for the third year, further reducing the purchasing power of the grants which has fallen by more than half in the last 30 years. In the 1970's, the grants paid some 85 percent of college tuition costs. They now pay some 30 percent, a precipitous decline.

The DNC Platform Committee were successful also in ensuring that the platform language is inclusive of Educational Support Professionals (ESP) as well as teachers and principals, a first time achievement.

Overtime Laws: The Administration's new rules on overtime pay take effect on August 23. NEA opposes those provisions of the new rules that jeopardize eligibility for overtime pay and is working actively with the AFL-CIO and the National Employment Law project to rescind them.

5-Minute Activist: You can help! Send a message to Congress.
[http://capwiz.com/nea/issues/alert/?alertid=5592396]

Who may be affected by the new wage-hour rules? Educational Support Professionals who work more than 40 hours a week for a single employer. NOTE! Employees covered by a bargained agreement that already requires overtime pay more generous than that required under law are not affected by the rules.

The law affects differently workers earning more than $455 a week or $23,660 annually and those who earn less. If you earn at least $455 a week or $23,600 annually and work at least 40 hours a week for a single employer, you can be disqualified for overtime pay under the "duties" test.

The "Duties" Test: Overtime is based on job duties, not job title. The new rule broadens the definition of administrative or professional capacity." If your employer defines your work as "administrative" or "professional" under the new rules, you could be ineligible for overtime pay. If you earn less than $455 a week or $23,660 a year and work more than 40 hours a week for a single employer you are automatically eligible for overtime pay.

What if you’re required to work through lunch to attend a meeting?
—Sylvia Snape, English Dept.

If your supervisor requires you to work through a lunch break, you are entitled to be compensated either in added pay or time compensation. If your supervisor refuses to compensate you for extra time worked, speak with your steward. You may have a grievance.

USA Member Raises Guide Dog
—Laurie Banas, School of Education

On Sunday June 20, 2004, I attended the graduation ceremony for Manny and Mel. Manny is a yellow lab from Ireland that I raised through puppyhood for the Guide Dog Foundation for the Blind. I received him at
3 months of age and kept him until 13 months. During this time my duties were to socialize and train the puppy to prepare him for the possibility of fulfilling the job of guide dog. He returned to the Foundation on Long Island in December and proved to be an excellent puppy. He fulfilled all the needed duties and training and was recently matched with Melfred Teller from Atkins, Arkansas. Mel has been blind from birth but is able to see some color and large shapes.

Mel and Manny completed 25 days of training together, which culminated in a graduation ceremony, at which time I reunited with Manny and met Mel. You cannot imagine the feelings of knowing that you gave an individual the gift of second sight. As Mel said, "I always walked with a cane, with my head down. I am able to now feel the sun on my face and the rain on my head as I walk proudly knowing that I am in the capable "eyes" of Manny."

A number of articles following Manny's progress have run in the Daily Hampshire Gazette featuring me, my son Kevin who is now 6 and my husband. It is nice to know that with just our time and our love we really changed the world for an individual.

If you would like more info you can email me or contact me at 5-2577 from 7:30 a.m. to 1:00 p.m..

**The School of Ed allowed me to bring Manny to work daily with me to aid in training him.**

**Local News**

Carol Steele has been appointed as a steward, replacing Marcia Burkavage, representing District 16 (Whitmore Administration Building). Thank you, Carol.

Linda Hillenbrand has agreed to be USA Rep for both the University Health and Welfare Trust and the Parking and Transportation Board.

Donna Johnson will meet with UMASS President, Jack Wilson, on September 14th, to discuss issues that adversely effect our local, and indeed the other unions on campus. She will be asking for his consideration when he meets with the Board of Trustees and the legislature. You go, girl!

**U.S.A. Calendar**

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<td>Sept 13</td>
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<td>120 Hampshire House</td>
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<td>Stewards Council 12-1</td>
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<td>Sept 28</td>
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<td>MTA Board Meeting in Natick</td>
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**Bits & Pieces**

Quote from Donna Johnson, when asked why she got involved in U.S.A.: “Maybe I’m crazy, but when I have to pay to belong to an organization I want to have something to say about how my money is spent.”

Note from Don Taylor, on how UMASS did business before the union: “Workers were bussed from surrounding towns to work for day wages. People would be picked up and brought in for a day at a time. And if an administrator’s nephew wanted a job, you could say goodbye to yours.”

Robert Reich, in a speech given at UMASS in the fall of ‘03: “The greatest obstacle to progressive change in Massachusetts or the United States [or in U.S.A.] is a sense of ‘nothing can be done’—cynicism. You have got to organize, energize and mobilize. Nothing happens unless people make it happen.”

U.S.A. Newsgram Contributors: Laurie Banas, Donna Johnson, Sylvia Snape, Carol Steele, Andy Steinberg, Deb Warner, Elizabeth Holtzman, and Bob Whalen
If you would like to serve on a committee, be a steward, a building rep, or contribute articles to the Newsgram (!), please contact the USA office at 545-0165.