

The Member Ship



The Newsletter of The West Genesee Teachers' Association, <http://www.wgta.net>

Union Rights Threatened in California Union Dues Case

A Supreme Court case, **Friedrichs vs. California Teachers' Association**, which is set to be argued on January 11, 2016, is a direct threat to our collective bargaining rights. Non-union teachers, including Rebecca Friedrichs, sued the California Teachers' Association, claiming that the payment of dues is a violation of their First Amendment rights. The lawsuit questions the authority of teacher unions and therefore other public sector unions, to collect mandatory fees. Currently, all members of a bargaining unit are required to pay dues, regardless of whether they formally join the union. This is due to the ruling of a previous case, **Aboud v. Detroit Board of Education**, in 1977 which established that both members and non-members were required to pay dues. The rationale is that everyone should pay their "fair share" if they are benefiting from what was negotiated on their behalf, by a representative body. This assures that not only the members of the union, but also the non-members or "free-riders" are contributing. Many gains in salary, benefits, vacation time and the establishment of a reasonable workday have occurred due to the strength in collective bargaining power. To maintain these benefits, unions like the WGTA need to collect dues to help protect these benefits. New York has laws which have established mandatory "fair share" or "agency fee" payments. However, other states are considered "Right To Work" states which either prohibit collective bargaining or ban mandatory fees.



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Important Dates:

BEDS forms are due by **December 18**.

SLOs must be written by **December 23**. This applies to 3rd grade ELA and Math teachers, 8th grade science and social studies teachers and HS teachers whose courses end in a Regents Exam.

Retirees

It's your turn! Would you like to tell your union story in a NYSUT video? NYSUT is making videos of members who can convey - in a very personal way - why the union matters. If you're willing to participate, send us an email at

webmaster@nysutmail.org

Research, lobbying, negotiating and union representation takes time, energy and funds. Unions have helped to create a middle class due to their efforts in establishing a fair wage. The ever-growing divide between rich and poor is contributing to a shrinking middle class. The need to defend our rights as workers is more important than ever. A decision in favor of the plaintiffs could diminish collective bargaining rights and ban mandatory dues. It could essentially turn all states into “Right to Work” states.

The case is being pushed by the Center for Individual Rights, a public interest law firm whose mission is defending civil liberties. It is part of a continuous push to break unions and privatize public education. This firm is loosely connected to a much larger, corporately funded lobbying group (ALEC) American Legislative Exchange Council. This council is pushing for smaller government and is aggressively writing legislation and funding campaigns to accomplish its goals. Additionally, it is assisting other groups in bringing forth lawsuits to attack collective bargaining rights. Labor unions have been a tremendous advocate of social justice and stand in defense of the rights of the working middle class. We do not want what the teachers in Wisconsin had to endure. These teachers saw an immediate 7% decrease in salary and benefits, a dramatic increase in contributions into their retirement and the inability to negotiate which health care plan their employer provided for them. Please copy and paste the link below into your browser to watch the devastating effects such legislation has had on the public sector workers in Wisconsin just a few years ago.

<http://www.nysut.org/news/2015/july/video-wisconsin-warning-under-attack-in-the-supreme-court>

Below is the link to another video which emphasizes how important collective bargaining rights have been to the middle class and how much could be lost without them

<https://www.youtube.com/watch?v=wE2wtCTFLmo>

Your dues are working for you, and the WGTA will continue to make sure you feel that way. In this newsletter you will read about the work of our Negotiations Committee, dedicated to making all WGTA members, everyone who pays their dues, is supported and compensated for your continued hard work.

Happy Holidays to you and your families.

-WGTA President John Mannion



The Value of NYSUT Membership

You may not be aware that your NYSUT membership allows you to enjoy the benefits of the more than 40 programs & services endorsed by NYSUT Member Benefits, including a variety of quality, competitive insurance plans.

Member Benefits strives to provide the highest-quality programs for NYSUT members and closely scrutinizes all proposals from reputable vendors before any endorsements are given.

While we work continuously to maintain quality benefit programs at competitive prices, you are encouraged to shop and compare before making any purchasing decisions.



Are you ready to answer these questions?

What would happen if you suddenly died? Have you ever considered what would happen to your spouse and/or children? Take a few moments and answer these questions now:

- 1) Would your loved ones be able to afford their current home?*
- 2) Could your loved ones continue to pay regular bills and maintain their medical coverage?*
- 3) Would your loved ones be able to plan for your final funeral expenses?*

If your answer to the above questions is “No” or “I don’t know,” consider enrolling in the NYSUT Member Benefits Trust-endorsed Term Life or Level Term Life Insurance Plans. Both of these plans allow you to select the plan and benefit amount that best meets your specific needs.

Visit the NYSUT Member Benefits website at memberbenefits.nysut.org or call **800-626-8101** for specific details about these plans.

The Issuance of a Certificate of Insurance or payment of benefits will depend upon the answers given in the application and the truthfulness of those answers. Additional underwriting requirements may be needed.

Member Benefits has an endorsement arrangement with its endorsed insurance provider of 7.61% of earned premiums for these programs. All such payments to Member Benefits are used solely to defray the costs of administering its various programs and, where appropriate, to enhance them. The Insurer pools the premiums of Member Benefits participants who are insured for the purposes of determining premium rates and accounting. Coverage outside of these plans may have rates and terms that are not the same as those obtainable through Member Benefits. The Insurer or Member Benefits may hold premium reserves that may be used to offset rate increases and/or fund such other expenses related to the plan as determined appropriate by Member Benefits. Member Benefits acts as your advocate; please contact Member Benefits at 800-626-8101 if you experience a problem with any endorsed program.

Contact Your WGTA Executive Officers

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Fundraising Goes a Long Way, by Mary Gotham, treasurer

This fall WGTA initiated fundraising for two very worthy health research needs. Your contributions went to The Carol Baldwin Breast Cancer Research and the Leukemia and Lymphoma Society. According to the Centers for Disease Control, breast cancer is the 2nd leading cause of cancer deaths among women following lung cancer. It is the most common cancer among women in the US. Due to efforts and monies devoted to research, we've seen advances in detecting and treating patients with this disease. Dedicated to finding a cure, the Carol Baldwin Breast Cancer Research fund has provided over \$4 million to medical research. Once again, the West Genesee School community took part in this effort. WGTA sponsored a Jeans day on Friday October 16th. We were able to raise \$581.00, monies that will be used locally.

WGTA also sponsored a jeans day to raise money for the Leukemia and Lymphoma Society. We were able to raise \$403. Your contributions will go towards finding cures and ensuring access to treatments for leukemia, lymphoma, Hodgkin's disease and myeloma, and to improve the quality of life of patients and their families.

Between the two fundraisers, WGTA collected close to \$1000. Your generous response will support cancer patients and continued research for a cure. We want to thank everyone that participated.

Source: U.S. Cancer Statistics Working Group. [*United States Cancer Statistics: 1999-2012 Incidence and Mortality Web-based Report*](#). Atlanta (GA): Department of Health and Human Services, Centers for Disease Control and Prevention, and National Cancer Institute; 2015.

Know Your Contract by Keith Newvine, Vice President for Grievances

I'm sure you know how valuable your sick days are, but have you ever looked to see just how much they can afford you? As you probably know, each WGTA member is given "twelve (12) [sick] days per year, after the first day of attendance..." (Article XI, Section J, Part 1). You are also granted "personal leave not to exceed three (3) days per year..." (Article XI, Section G, Part 1). Any unused personal days "will be added to the accumulated unused sick leave" (Article XI, Section G, Part 3).

Therefore, any and all of these 15 total days per year which are unused become a part of your accumulated unused sick days. If you are unaware of how many accumulated unused sick days you have, please contact your building secretary, or call the District Office.

You are also allowed five (5) absences per year for sickness or death in the family. These days are deducted from your accumulated unused sick leave (Article XI, Section K, Section 1 & 3). Because many of our members have children and elderly family members, it is important that you know this section of the contract and use these days when someone in your family is sick. You should not be using your current sick days or personal days for family members; save these for when ***you*** are sick or need to take a personal day ***for yourself***.

The accumulated unused sick days ***really*** matter! In Article V, Section S, Part 1, it says:

A teacher who actually retires pursuant to the provisions of the New York State Teacher Retirement System, and who serves written notice of such intended retirement as well as effective date of retirement on the District at least three (3) months prior to the date of retirement, shall receive upon retirement a one (1) time only bonus of one (1) month of paid health coverage (not to exceed the premium cost for the BC/BS*) prorated for every ten (10) accumulated but unused sick days up to a maximum of two hundred forty (240) unused sick days.

That means that in addition to the five (5) years of free health insurance granted to members who retire according the provision stipulated in Article V, Section S, Part 2, accumulated unused sick leave could provide you with an additional two (2) years of health coverage.

Lastly, if you retire without penalty under the New York State Teachers' Retirement System, you are also awarded "\$25 per unused sick day over 240 not to exceed 100 days" (Article V, Section S, Part 1, Subsection b).

What does this mean in the end? Money and health insurance. You might not be ready to retire just yet, but knowing these portions of the contract now will matter when the time comes.

If you have any questions, please feel free to contact me at konewvine@gmail.com

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Know Your WGTA Representatives

Rob Manipole - HS LEADER
Chris Paoli- HS LEADER
Theresa Mosey- HS REP.
Seth Joslyn - HS REP.
Greg Allen - HS REP.
Pat Haines - HS REP.
Craig Dowler - HS REP.
Matt Bolha - WGMS - Membership Chair
Mary Beth Smith - WGMS REP.
Dale Keida - CMS LEADER
Eric Howes - CMS REP.
Courtney Lyons - STONEHEDGE GOLD LEADER
Terry Lindsey - STG REP.
Allyson Lyons - STB LEADER
Marcia DeMartini - STB REP.
Janet McDonald - EH LEADER
Heather Thome - EH REP.
John Lawrence - SR LEADER
Wende Ogden - SR REP.
Kathy Gauthier -OR LEADER
Kristen Hudson- OR REP.



NYSTRS Delegate Update, by WGTA Vice President Mary Weaver

Tim Sutherland, a teacher from Sayville Union Free District was re-elected as delegate for the 10 member retirement board of the New York Teachers' Retirement System. Other retirement board members include three teacher members, Paul Farfaglia of Jordan-Elbridge School District, Joleane T. Dibrango of Pittsford, and vice president, David Keith of Hempstead. Keith is a retired teacher representative.

One of the important pieces of information that I learned from the delegate convention was that our pension is one of the strongest pensions in United States. It has over \$23 billion in it and is protected by the New York State Constitution. There is a possibility for a constitutional convention in 2017. There is an article protecting our pensions from privatization or the ability to invest through other means. Vote no for a constitutional convention and support your local vote cope chapter to support this situation in New York State legislature.

If any member of the WGTA has a question about their individual retirement situation, you can contact the NYS Retirement System at 1-800-348-7298, extension 6250 for general information.

Some important information presented at the NYSTRS delegate convention is that member service days are reported to NYSTRS by employers. A maximum of one year credit is a school year that equals July 1 to June 30 of the following years. Nine months equals one year of service and prior service credit. If you worked as a New York state public employee before your NYSTRS membership, then you're eligible to have prior service credit administered to your benefits. Two years of New York State prior service allows for that eligibility.

Keep in mind, final average salary (FAS) for tiers 1-5 are your three highest consecutive school years of regular salary. Regular compensation could include supervision, coaching and other extracurricular activities.

Keep a lookout for video conference and one to one conference schedules in your individual schools in staff rooms or in main offices. Every teacher has differences in their career as to how the retirement benefits will turn out. NYSTRS representatives told delegates that a video conference is just like a one to one conference, but it comes down to personal preference.

You probably have received your most recent benefit brochures. On the back is a clip out card with your number for your NYSTRS account. If you need more information, research the NYSTRS website or call the 800 numbers. There is a lot of information about retirement planning and our pension through the NYSTRS. With the teacher representation on the retirement board of NYSTRS, I am confident that sound decisions will be made on members behalf.

The Back Page

Your guide to services, deals, and promotions for the WG education community

We want to advertise for you!

Are you an artist, a carpenter, a house painter looking to advertise your services?

Advertisements in *The Member Ship* are provided free to West Genesee Teachers' Association Members and their family. Please send your advertisement to Kelly Chambala (SR) at kchambala@gmail.com.

The only other advertisements that are run in *The Member Ship* are those provided by NYSUT, AFT, or the AFL-CIO.

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WGTA Email Directory



Join the FREE WGTA Email Directory. There are currently around 200 WGTA members, retirees, WG Staff and WG parents in the Directory. We share our Email addresses and send each other educational articles, WGTA and union information and personal notes.

If you would like to be a part of this FREE Directory, please send your name, Email address and WG status (school name / retired / WG staff, etc.) to Lynn Davis at: DavisRetired@gmail.com.

Email address are only shared with other members of the Directory.

The WGTA
wishes you a
safe and joyful
holiday season.



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