

PROTEUN

A publication of the Providence Teachers Union available on-line at www.proteun.org or via e-mail.



November 2008

Dear Colleagues:

While the opening of school this year went relatively smooth, our Union has been faced with several challenges during the first few months of the school year.

One of our primary focuses has been on finalizing the 2007-2009 collective bargaining agreement. At the time of this publication, we are very close to securing a contract for the 2007-09 school years. Attorneys for the School Board and the Union are finalizing the contractual language. Once the joint proposal is ratified by the membership and the School Board, our negotiating team will begin to work on a successor agreement. I will be seeking input from the entire membership as we prepare our proposals for the successor agreement which will secure our benefits and working conditions as well as improving our schools with the focus on student achievement.

Significant attention has also been given to the city's decision to change healthcare providers from Blue Cross to United Healthcare. The city administration is not prepared nor have they been cooperative. As I have reported to you previously, the leadership of all the city unions have agreed to work together to ensure that the healthcare plans that we have negotiated are not changed. To that end, we have been meeting on a regular basis, sharing information and coordinating a course of action.

Continued....

UNION PREVAILS IN RETIREE MEDICAL BENEFITS PREMIUM ARBITRATION

In June 2006, the Providence School Department changed its method of calculating the health insurance premiums for retired Providence teachers resulting in exorbitant rate increases — approximately 55% in some cases. Prior to June 2006, the long-standing past practice for calculating health insurance premiums for retired Providence teachers was based on a single group of all active and retired teachers. The Providence School Department's unilateral decision to modify this well established practice clearly violated Article 19, Past Practice and Appendix C of the Providence Teachers Union Collective Bargaining Agreement.

Therefore, on September 25, 2006, a Union grievance was filed on behalf of retired teachers and on behalf of prospective retirees. The matter went directly to arbitration. Hearings were held on October 29, 2007 and June 6, 2008 with arbitrator Mark Irvings from the American Arbitration Association. In arbitrator Irvings October 20, 2008 Opinion and Award, he sustained the Union grievance. Mr. Irving stated that "The Board violated Article 19 and Appendix C of the collective bargaining agreement when it failed to utilize a single group of all active and retired participants when computing health care premiums for 2006-2007 and thereafter."

Consequently, the Providence School Board must now recalculate the premiums paid by retired Providence teachers since 2006 using a single group premium and reimburse retired teachers and their spouses for any additional premium charges.

UNION PREVAILS IN NON-RENEWAL APPEAL WITH BOARD OF REGENTS

The Union has prevailed in protecting the rights of six (6) non-tenured teachers whose contracts with the Providence School Department were non-renewed for the 2006-07 school year.

The Department of Education and the Board of Regents ruled that the Providence School Board violated State law by failing to properly notify the teachers of the School Board's intention to non-renew their teaching contracts for the ensuing year by the March 1 deadline.

In accordance with the ruling from the State, all six teachers will be reinstated retroactively to the 2006-07 school year with all rights, salary and benefits under the contract.

The appeal process with the RI Department of Education is a timely one, but the Union has been extremely successful in making sure that the Collective Bargaining Agreement as well as RI State laws are followed by the Providence School Board.

While all of the unions agree that the switch from Blue cross to Caremark/ CVS has been a transparent process, we do not feel the same regarding the switch from Blue Cross to United Healthcare. And, therefore, we are resolved to challenge the change in healthcare providers based upon equivalency.

On October 29, 2008, in an unprecedented action, the PTU, police, fire, clerical, administrator unions and Local 1033, as well as retirees, picketed the Mayor's fundraiser in protest to the City's indifference to the concerns we have raised regarding the transition from Blue Cross to United. I would like to take this opportunity to personally thank all of the active and retired members who participated in this demonstration of solidarity.

While the contract has been a major focus, we must keep in mind that more and more of what affects our profession and livelihood has to do with actions taken by the general assembly. Not being able to name a healthcare provider in the contract is the most recent example. While the RI Federation of Teachers and other state unions were extremely pleased with the participation of union members in the recent election, we must remember that the election was the beginning of the process and not the end. As union members, we all must be actively engaged with our state representatives and senators. That will require all of us to be in constant communication with our elected officials on the issues that are important to us.

Finally, may I take this opportunity to express my sincere appreciation for your continued support and assistance.



EXECUTIVE DIRECTOR'S REPORT

There was a significant increase in the number of grievances that were filed during the 2007-08 school year. A total of 302 grievances were filed as compared to 207 during the 2006-07 school year. Grievances filed at respective school levels were: Elementary-124, Middle School-56, High School-103, Union-12, Special Groups-1, Substitutes-12. The three most frequently grieved areas were: Unfair & Inequitable Treatment-114, Safe & Healthful Working conditions-74, and Supplies & Equipment-31. As you are well aware, the grievance process protects not only our working conditions but the students we serve as well.

During the 07/08 school year, there was also a significant number of grievances that went to arbitration. When a grievance is denied at Level A (Superintendent) and Level B (School Board) the Union can request a hearing with a neutral arbitrator to resolve the matter. The arbitration process may take a long period of time. From the initial appeal date, depending on the nature of the case, an arbitration can take anywhere from 6 months to 2 years until final resolution. The Union has been very successful in arbitration and has received several decisions from arbitrators stating that the Providence School Board has violated the Collective Bargaining Agreement.

Highlights of some of the recently resolved arbitration cases are as follows:

◆ **Written Reprimands**

In a decision involving two grievances where a teacher was issued written reprimands, the arbitrator ruled that the School Board should not have issued written reprimands and strongly criticized the investigation process followed by representatives from the Office of Human Resources. Both letters of reprimand were removed from the teacher's personnel file.

◆ **Guidance Counselor Student Ratio**

An arbitrator ruled that the Providence School Board had to continue with the long standing practice of the 250:1 ratio for guidance counselors. The ruling forced the School Department to employ additional counselors for the 2008-09 School year in order to conform to the 250:1 ratio.

◆ **Summer School Position**

An arbitrator ruled that the Providence School Board failed to offer a teacher a summer school position that he was qualified and certified to hold. The arbitrator awarded the teacher full payment for the summer school position.

◆ **Sabbatical Leaves**

Previous decisions that were favorable to the Union included two decisions in which the arbitrator ruled the PSB violated the contract by imposing conditions not listed in the contract in denying sabbatical leaves. In one case the teacher was awarded back salary from a no-pay leave to a sabbatical leave and the other case the teacher was granted a sabbatical leave for the following year.

All of these decisions occurred under the tenure of Superintendent Evans and School Board Chairperson, Mary McClure, reflecting their inefficient top down management style as well as their being totally disconnected from the realities we face on a daily basis in our schools.

To date, Superintendent Brady has been instrumental in working with the Union leadership to resolve outstanding grievances before they are scheduled at Level B (School Board).

Contact Paul at 421-4014 or Pvorro@proteun.org.

PRESIDENT'S SCHEDULE

September

- 2 Level A Grievance Hearings
- 3 Executive Board Meeting
- 4 Working RI/AFL-CIO
- 8 Level A Grievance Hearings
School Board Meeting
- 11 Professional Time Committee
Executive Board Meeting
- 16 Building Delegate Meeting
- 17 Working RI/AFL-CIO
Rep. J. Giannini Fundraiser
- 18 Sen. M. Goodwin Fundraiser
- 25 RIFT-Executive Board
- 30 Urban Education Taskforce

October

- 4 Urban Education Taskforce
- 7 Newly-elected Building
Delegates
- 8 PTU Finance Committee
Health Related Trustees
Executive Board Meeting
- 10 Superintendent Brady
ESLB
- 13 City Hall-Union Leaders,
City Administration,
Representatives from United
Healthcare & CVS Caremark
- 14 Building Delegate Meeting
School Board Meeting
- 15 Membership Meeting
- 16 Union Leaders-United
Healthcare
Professional Time Committee
- 20 RIFT-United Healthcare
RI AFL-CIO
Level A Grievance Hearings
- 21 Superintendent Brady/
Councilman Yurdin
- 23 Rep. J. Patrick O'Neill Fund.
Rep. R. Sullivan Fundraiser

Continued....

PROVIDENCE TEACHER RECEIVES NATIONAL AWARD

Tina Pelit, a third grade ESL teacher at Harry Kizirian Elementary School, was one of 51 teachers nationwide who received the American Stars of Teaching Award from the US Department of Education. She was the only Rhode Island teacher to be honored.

American Stars Award recognizes and honors superior teachers with a track record of improving student achievement, using innovative instructional strategies and making a difference in the lives of their students. Mrs. Pelit was nominated for the award by her principal, Debbie Ruggieri. According to Principal Ruggieri, "Tina is a consummate professional who through her kindness, content knowledge, knowledge of her students and dedication provides her students with the highest standard of education everyday."

Mrs. Pelit received her award from Jacelyn Pickford a representative from the United States Department of Education at an all-school assembly held at Kizirian. Mrs. Pelit, who is in her 13th year of teaching, all at Harry Kizirian Elementary, states "I am very honored and grateful to receive this award. I work with an excellent principal, teachers and staff and wonderful students."

Congratulations to Tina for being selected to receive this prestigious award!



DIRECTOR OF MEMBER SERVICES' REPORT

Grievances

During the month of October 2008, eleven (11) grievances were filed. Of the eleven (11) grievances filed, four (4) were filed by high school teachers; two (2) were filed by elementary school teachers; four (4) were filed by middle school teachers and one (1) was filed by the Union.. The areas grieved are as follows:

Supplies & Equipment.....	3	Article 11, Posted Positions.....	2
Article 8-1, Class Size	1	Unfair & Inequitable Treatment.....	1
Article 13-1.2, Teacher Program	1	Article 8-4, Unassigned Periods	1
Article 16-5.1, Union Info.	1	Article 13-2.1, Program Guidelines	1

There were significantly fewer grievances filed during October 2008 as compared to the number of grievances filed during October 2007 — which was 70 grievances.

Recent Union Grievance Decision

On September 17, 2008, it was brought to the Union's attention that a certain building principal duplicated a grievance filed by a teacher in his school and distributed said grievance to the entire faculty. A Union grievance was immediately filed as this principal's actions was a blatant unfair labor practice. On October 25, 2008, the grievance was sustained by the Providence School Department. The building administrator was directed to remove the document from the teachers' mailboxes, directed to issue an apology to the aggrieved teacher and was formally reprimanded by Central administration.

While it is not my belief that this is common practice among building principals, if a similar situation does occur in your building, please contact the Union office immediately so that we may take appropriate action.

Heating/Snow Issues

Building Delegates should call the Union office immediately if a heating issue arises in their building. Union field representatives work closely with representatives from the Providence School Department as well as Aramark to ensure that heating issues are taken care of expeditiously. Building principals have been provided with a copy of this year's Emergency Relocation Plans in the event it is necessary to relocate students and staff.

In the event of inclement weather, school closing information will be communicated via Connect Ed in addition to the media. Building administrators have been provided with time schedules in the event of one-hour and two-hour delayed opening. Delayed time schedules should have been shared with teachers and staff.

Contact Maura @ 421-4014 or mgalvao@proteun.org.

PRESIDENT'S SCHEDULE

October (continued):

- 24 RIFT Convention
25 RIFT Convention
27 Level A Grievance Hearings
28 City Hall-United Healthcare
29 Urban Education Taskforce
Working RI/AFL-CIO
Informational Picket/Mayor
David Cicilline's Fundraiser
Waterplace Restaurant
30 Flynn Elementary School

November:

- 5 Executive Board Meeting
6 Urban Education Taskforce
10 Level A Grievance Hearings
School Board Meeting
12 Union Leaders-United
Healthcare
RAND
Councilman J. Iglizzi Fund
13 Urban Education Taskforce
15 RIFT-Learning First Alliance
17 RI AFL-CIO
Level A Grievance Hearings
18 Building Delegate Meeting
Councilman M. Solomon Fund.
20 RIFT-Executive Board
24 Level A Grievance Hearings
Atty. Gen. Patrick Lynch
Fundraiser
29 Councilwoman Joan DiRuzzo
Fundraiser

(See CALENDAR OF EVENTS for listing of school visits.)

UNION IN-SERVICE COORDINATOR'S REPORT

When addressing teacher evaluation, most administrators take the same approach they use when it comes to school discipline. Throw out the bad ones. Once they're gone then everything will be perfect.

While at first glance that idea might seem reasonable, it ignores the reality of the data. And why not ignore reality? It's such a convenient way to avoid the realities of school environments and the issues in teaching and learning. Vilify an individual or group, gain some support politically and what do you have? The same old situation.

It's time to reconsider our response to these conditions. It is especially time to reconsider our response to teacher quality, teacher induction, and teacher evaluation. They are all linked together, and all of them impact on the educational milieu and student achievement.

On July 13, 2008 the Committee on Peer Assistance and Review Programs, reported to the 3,000 delegates at the AFT Convention, held in Chicago, that public education now needs to hear the voice of teachers when addressing the issue of Teacher Quality. Districts need to follow our lead when it comes to educational practice. Without teachers, the conversation will be one-sided, and I would imagine, will ignore the realities of what effective teaching really looks like. While a principal would be pleased to give a teacher an A+ for keeping up with her "Pacing Guide," there might be little evidence that the students have mastered the material. PLP's might be up to date, but for students who do not feel connected to the school environment, very little growth is going to occur.

The Committee, the Leadership, and the Membership of the AFT adhere to the belief that teachers are best qualified to determine what authentic teacher quality means. It is teachers working with teachers who can make the most dramatic improvements.

No one enters the profession at 100% effectiveness. However, we all enter the profession with a desire to be the best teacher we can possibly be.

The AFT has proposed that all Unions take the leadership position in driving standards for Teacher Quality. These programs could follow some established guidelines for effective new teacher induction and support. Some characteristics of such programs are:

- Developed as part of the Collective Bargaining Agreement
- A shared focus on improving teaching
- Involve joint decisions by teachers and administrators
- Provide assistance to new and veteran teachers
- Have a process for identifying and training teachers to provide peer assistance
- Have resources dedicated to implementing the program

Teacher quality is a priority nationally. We now have a structure so we can provide quality support to all teachers in Providence.

Contact Fr. Nick Milas at 421-4014 or Frnickm2@aol.com.

UNION OFFERS

Providence teacher and Professional Martial Arts instructor, Mr. Michael Werth, is offering all Providence teachers, their families and their students scholarships and discounts for Ultimate After-School Youth Leadership Programs through:

Main Street Martial Arts Rhode Island Aikikai

Aikido - Eastside - Karate - Eastside - Tai Chi - Eastside - Yoga - Eastside

1282 North Main Street

Providence, Rhode Island 02904

For more information (401) 274-7672/info@budojo.org
or visit his website @ www.budojo.org



FREQUENTLY ASKED QUESTIONS

What is FMLA?

The RI Family and Medical Leave Act allows employees to take up to thirteen (13) workweeks of leave for the following reasons:

- ◆ Birth of a son or daughter;
- ◆ Placement of a son or daughter less than 18 years of age with the employee for adoption or foster care;
- ◆ In order to care for an employee's spouse, son, daughter or parent who has a "serious health condition";
School Involvement *

* Ten (10) hours of **unpaid** leave during a twelve (12) month period to attend school conference or other school-related activities for a child for whom the employee is the parent, foster parent or guardian.

Paid Leave:

A teacher, male or female, taking maternity or paternity leave for the birth or adoption of their child can utilize their sick days under Article 4 of the contract. If a teacher does not have enough sick days for the 13 weeks (65days) the remaining time will be counted as unpaid sick leave.

Unpaid Leave:

The **RI FMLA** allows teachers to take up to 13 weeks without pay. The Providence School Dept. will continue medical benefits (teachers must continue to pay the regular co-share). This is available to both female and male teachers and the PSD must hold the teacher's classroom.

A teacher (male or female) may take a **Parental/Adoptive Leave** for up to one (1) year without pay. Medical benefits can be purchased at the group rate (this is the full cost of your healthcare plan). The Providence School Department is required to hold the teacher's classroom.

Under **Article 5-6 Leave Without Pay** teachers may take a leave without pay for up to one (1) year. The teacher must have completed three(3) years of continuous service in the Providence Public Schools. Teachers may purchase medical benefits at the group rate (this is the full cost of your healthcare plan). The Providence School Department is **not** required to hold a teacher's classroom.

Who should I notify of my intent to take a leave of absence and how soon?

All requests should be sent thirty (30) days prior to the commencement of the leave except for extenuating circumstances.

Send your written request to the Assistant Superintendent of Human Resources and Labor Relations. Indicate the type of leave, the anticipated date of commencement, and the duration of your leave.

Q & A

- Q. If I give birth or adopt late in the school year or during the summer recess, am I still eligible to receive thirteen (13) weeks leave?**
- A.** Yes. Under the FMLA employees may use the thirteen (13) weeks during a **calendar** year. Therefore, you may elect to carry over the remaining weeks or commence your leave the following school year.
- Q. If I take thirteen weeks (13) of paid leave under Article 4, can I then take the remainder of the school year without pay.**
- A.** Yes. Teachers who elect to take a maternity or paternity leave under Article 4 (Sick Leave) may request a personal leave of absence under **Article 5-6 Leave Without Pay** once their thirteen (13) weeks expire. **Teachers must have three (3) years of continuous service in the Providence School Department.** Teachers **without** three (3) years of continuous service will be required to return to work.

UNION ACTIVITIES

Annual Book Drive

Twelve years ago, the Providence Teachers Union launched its first Book Drive for Providence Kids. Last year union members donated 1,850 new books to Providence community centers. They, in turn, distributed the books to Providence children.

Please join me in continuing the tradition of brightening the lives of Providence children during the holiday season by participating in the

PTU Dress Down Day

Monday, November 17, 2008

All donations will go towards purchasing new books (all ages) for Providence students. Book donations are also welcome. See your building delegate for more details.

Please join me in making this year's book drive a great success!



Providence Princess

Providence Princess offers any Providence Senior High School student the opportunity to attend her high school prom. Students are provided with a choice of a beautiful prom gown, jewelry and accessories at no cost to them.

In addition to holding our annual DRESS DRIVE to collect gowns, party/cocktail dresses, shoes and accessories, a dress down day will be held to raise funds to purchase discounted gowns and accessories.

Help a young lady feel like a princess on her prom night by participating in the

PTU Dress Down Day

Monday, December 8, 2008

As always, gown donations are welcome. You may drop off gowns and accessories at the PTU office during the months of December and January. If you are unable to stop by the Union office, you may give the gowns and/or accessories to your Building Delegate and ask him/her to deliver the gowns to the Union office at the next building delegate meeting.



Contact Maura Galvao (Book Drive) or Deb Pilkington (Providence Princess) at 421-4014.