

U S A INFORMATION

LOCAL 15-175 NYSUT; LOCAL 3072 AFT

FEBRUARY 2009



Next General Membership Meeting:
May 12, 2009
3:15 p.m.
 TBA

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From the Desk of the President

I know that the economic climate these days is causing a lot of anxiety and stress. We are all victims of a situation that is out of our control. As our Governor and legislators, pound out a budget in Albany, rest assured that NYSUT is doing all it can to be sure our issues will be heard.

Vito Rinaldo will be in Albany on February 3rd to attend a special gathering of the Committee of 100, NYSUT's lobbying body. Actually, these days the committee is well over 100. They will descend upon our legislators in mass. This is not a scheduled lobby day, but was arranged by NYSUT to make sure our legislators will hear our concerns well before the budget is

passed. BOCES Lobby Day is scheduled for February 24th. Most of the state's BOCES will send representatives to talk to our legislators. This day is for discussing how BOCES is a vital player in the solution of solving budgetary issues. The PNW BOCES team for this year will include our Superintendent, **Dr. Langlois**, the President of our BOCES Board, **Anita Feldman**, **Vito Rinaldo**, and me. March 24th and May 12th are additional Committee of 100 Lobby Days that Vito will be attending.

You may be asking yourself, "How can I help?" Here's how:

If you have not done so already, go to www.NYSUT.org and fax your legislators.

Ask your family and friends to fax letters too.

Contribute to our up coming VOTE/COPE drive. Consider increasing your current contribution.

I am in constant contact with our Tarrytown office. Our PAC committee is working overtime in scheduling appointments with legislatures in their local offices.

If necessary, I will call a meeting to let you all know what is happening. Let's hope that time will allow our leaders to come up with some solutions to this economic crisis that is effecting everyone and everything.

In Solidarity,
Irene Snow

News from Retirees

We extend our sympathy to the family of **Winnie Lawrence**...she died recently. Many of you may remember she started as a teacher aide, became a teacher in EOE and later coordinated the special needs CSE program in Tech. She was very active in the PNW BOCES Teacher Center over the years and edited and typed many of the early issues of the USA Newsletter. Winnie and John had moved to Illinois where she continued to sub. She has been in a health care facility for the past year.

Rita Wolfson is doing great in Longboat Key, FL. ...“Still enjoying good health, keeping busy playing tennis three days a week, swimming, biking and playing bridge most afternoons. I still volunteer at the Sarasota Memorial Hospital. This fall I went on a five week air/sea trip. I am staying put for the winter. Say hello to all.”

Fred and Beth Maley had their annual fall weekend at their place in VT. It was a great weekend... **Dick Mallette** came from Buffalo, **Barbara Sinnott** and **Mary Ann Alvord** joined them. **Wynnie McCarthy** did not make it this year as she and **Ed** were on their way home from a vacation in Greece and the islands.

Beth is very involved as the president of the Putnam Chorale...If you are interested in singing with them, they are doing *Elijah* this spring in Brewster. For info: www.putnamchorale.org No auditions are required. In addition **Beth** still works at PARC as a speech therapist in Neil House. **Fred** continues his retirement hobby- garage and tag sales...he can spot a treasure!

Beth Maley, Barbara Sinnott and **Wynnie McCarthy** joined **Marion Saudners** and **Lenore Wittrock** for a pre-holiday luncheon at Le Fontaina in Somers. **Barbara** is off to West Palm Beach, FL for the winter. This fall she had a wonderful reunion

with her daughters at the Outer Banks, NC. **Lenore** is president of the Katonah Woman’s Club and they were recently written up for their holiday boutique in the Journal News. **Lenore** hosted 35 members of her family at her home this summer for a reunion. Some she had not seen in 50 years. **Lenore** and her brother even took a trip to Bensonhurst to see where they grew up. She told us the neighborhood looks great.

Challis Thompson and her husband, Peter, have sold their lake house in Carmel and moved to Lantana, FL. “Peter and I had a fun week in Cozumel where we joined friends from New York for a diving vacation. The weather wasn't great but the diving was super. There would have been better colors underwater with sun, but we still enjoyed it. We also took a day to drive around and explore the rest of the island, which was so much fun! I didn't feel so

U S A I N F O R M A T I O N

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News from Retirees

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cheated by the weather knowing that instead of going back to frozen New York I was headed to south Florida! Our flight back to Cancun was in a real puddle jumper; a 4 seater. I sat next to the pilot - the closest I've come to any flying lessons since we moved down here - so I loved that...It's been chilly down here for Florida. Last night we went to the Polo center for a dressage competition and everyone was all bundled up with coats, scarves & hats. Two weeks ago it was so cold I had to cover up my garden so the plants wouldn't get frost! I love it though that I HAVE a veggie garden. I planted sugar snap peas on New Years Day and they are about 8" tall already. I put in tomato plants and have gotten a few handfuls of cherry tomatoes, and I've picked a couple of cukes, as well."

The Pines Bridge (and a few others) retiree group **RAGS** (Retired And still Going Strong), go to lunch monthly. If you are interested in joining us, contact **Kathy Little** or **Maureen Domingue**. They meet monthly, usually the last Friday of the month, and they take turns setting it up lunch at local restaurants.

From **Joel Shapiro**..."I read in the last edition of the Reporter that you didn't have any news of retirees. I have some for you. I'm writing to you from my office at the University of Presov in Presov, Slovakia. I received a Fulbright Scholarship to lecture here on Special Education... I'll be here for the entire spring semester. Slovakia is the eastern half of what used to be Czechoslovakia - they divided in 1993 and are independent nations. Slovakia is a member of the European Union and is a fascinating country to see. Lots of old castles, etc. and a forward-looking people who are quite proud of their heritage. Many of the younger ones speak English, which is really good. My Slovak is quite primitive, despite the Fulbright folks having sent me to the capital city, Bratislava, for

a 3-week crash course last summer. I'd love to hear from anybody who's interested in being in contact - just give 'em my email address. (If you are interested in contacting Joel, drop an email to Wynnie McCarthy at: Wam48@aol.com)

It was great to hear from retirees again! Keep your emails coming. Send *News for Retirees* to Wynnie McCarthy at Wam48@aol.com .

From the Welfare Fund

Please check out the Westchester-Putnam Teachers Legal Services Fund website at:

<http://www.teacherslegalfund.com>

Westchester-Putnam Teachers Legal Services Fund

[Fund Booklet](#) [Legal Services](#) [Booklet Changes](#) [Local Unions](#) [Legal News](#) [Home](#)

NEW: [Homeowner's Rights Benefit - Expansion of Geographic Areas Covered by the Plan](#)

WELCOME TO THE WEBSITE OF THE LEGAL SERVICES FUND

This website is provided to you by your local union welfare/benefit fund. The Fund trustees believe this site will make it easier, more convenient, and a more up to date means for you to access important information concerning your legal services program. Within this site you will be able to access a wide variety of legal service information by simply "clicking" on the appropriate button on your screen. You will be able to access:

- (1) your current legal service booklet of benefits
- (2) NEW BENEFITS approved by the trustees after the booklet was printed
- (3) CURRENT LEGAL TOPICS/LEGISLATION which may affect you and your family
- (4) links to your local union websites

The trustees hope you find this information useful and easy to use.

How is Teacher Seniority Calculated?*

**Throughout this article the term "teacher" also refers to "teaching assistants"...the rules are the same for both titles.*

The courts and the Commissioner of Education have defined seniority in terms of length of actual paid-service within a tenure area to a school district. The first criterion for determining seniority is the actual full-time service rendered within the **tenure area**. Seniority is calculated from the day of the teacher's **first probationary appointment (pre-2004) or initial appointment (post-2004)**. If such full-time service is equal, the teachers' respective appointment dates are to be used for determining seniority. When two teachers have equal seniority and the same appointment date, the more senior teacher is the one whose appointment occurred first. If both teachers were appointed in the same resolution, absent any other "tiebreaker", the school district uses the order in which the teachers' names appear in the resolution. This order may or may not be alphabetical. The teacher's name that appears first is deemed to have been appointed first and, thereby, has more seniority.

A school district may use any other reasonable method to establish seniority, including factors such as the dates on which an employment agreement was signed or returned, and also may consider the salaries of the employees. These factors are termed "*seniority tiebreakers*" and must be reasonable and non-discriminatory. Note that "*seniority tiebreakers*" are a **mandatory subject of bargaining**. However, the tiebreakers must be negotiated and agreed upon *a priori*, that is before positions are abolished and teachers excessed. The rules cannot be backordered to favor one teacher over another.

School districts are required to comply with the requirements of Commissioner's Regulation Part 30.1. Part 30 is applicable to all probationary appointments made after August 1, 1975. This section mandates that seniority credit need not have been consecutive but, during each term for which seniority credit is sought, shall have constituted a *substantial portion* of the time of the professional educator. "Substantial portion of time" is defined as *equaling 40 percent or more of the total time spent by the professional educator in the performance of his or her duties*. Thus, the Commissioner has held that years of regular full-time substitute teaching service, which was interrupted by periods of part-time substitute service and ultimately led to a probationary appointment, should count for purposes of seniority by virtue of Commissioner's Regulation Part 30.1(f).

Days spent on unpaid leave of absence may not be included in determining seniority. A district is not obliged to grant credit for interrupted service when the teacher has not obtained a leave of absence. However, a district may choose to grant credit for interrupted service pursuant to a collective bargaining agreement with its teachers. A local union contract may have provisions expanding seniority and recall rights for teachers and teaching assistants. Consult with your LRS.

...And How is Civil Service Employee Seniority Calculated?

Generally, non-instructional civil service employees' seniority is calculated from the date of the **original permanent appointment** in the classified civil service in positions the employer has chosen to eliminate. In some civil service jurisdictions, the employee may be credited with seniority for services rendered in other titles held prior to the civil service position that the employer has chosen to eliminate. Employees who are blind, veterans, or spouses of disabled veterans are given preference in layoff situations. Further, many NYSUT School Related Professional contracts

TAKE ACTION!

nysut
A Union of Professionals

Worried about proposed cuts to school aid and higher education and the elimination of teacher centers? Take just a couple of minutes to

**Raise Your
VOICE
and be heard!**

NYSUT makes it easy for you to join thousands of grassroots activists by sending a free fax to your state and federal representatives. Go to the bright orange “Take Action” box in the top right corner of the union’s Web site, www.nysut.org. There, you’ll see a variety of letters on important issues of the day — such as continued funding for essential programs or opposition to dangerous proposals.

It’s fast, it’s effective — and it’s free. Just follow these five simple steps to contact your state and federal elected officials.

How to send:

1. Select up to three letters to fax from the listings of letters for state officials, federal representatives and the governor. (Your selected faxes will appear in the right column. You may add and remove letters at any time.)
2. Click “Send Faxes.” (You’ll have a chance to preview before they’re officially delivered.)
3. Determine your elected officials by ZIP code or by district.
4. Enter your personal information.
5. Click “Send Faxes.”

Spread the word!

We encourage you to ask family and friends to contact their legislators. They can use this Web service, as well.

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How is Teacher Seniority Calculated?*

...And How is Civil Service Employee Seniority Calculated?

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have language granting seniority and recall rights. Check your contract! Generally, the local civil service jurisdiction works cooperatively with school districts and also oversees all actions by the school district pertaining to abolition of civil service positions, layoffs and recall rights. For more information, please contact your LRS.

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From the Welfare Fund

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Westchester-Putnam Teachers Legal Services Fund

[Fund Booklet](#) [Legal Services](#) [Booklet Changes](#) [Local Unions](#) [Legal News](#) [Home](#)

Be sure to check the following tabs when you visit the website:

Fund Booklet

Legal Services

Booklet Changes

*Thanks to everyone that
contributed articles.*

**Please remember, when you attend a
conference we ask that you submit an
article to the newsletter.**

Send your articles to:

Athena Swikata

aswikata@pnwboces.org

GET INVOLVED!!!

EXECUTIVE BOARD & GENERAL MEETING

DATES 2008-2009

2/3	Executive Board
3/3	Executive Board
4/14	Executive Board
5/5	Executive Board
5/12	General Membership Meeting
6/2	Executive Board



To schedule an appointment with the lawyer members should call (914) 997-1576.

IMPORTANT!

Please Note:

Mary Ann Alvord is the Grievance Chairperson. She can be reached at extension **764**, or from the outside at **(914) 248-2764**.

Welfare Fund Calendar

The Welfare Fund meets the 3rd Tuesday of each month. The dates for 2009 are:

- February 24
- March 17
- April 21
- May 19
- June 16

United Staff Association

Welfare Fund

**c/o Daniel H. Cook Associates
253 West 35th Street, 12th Floor
New York, New York 10001**

Chairperson: Monika Biscoglio

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1-800-DHCOOK1
(1-800-342-6651)
FAX # (212) 714-1454

Legal Fund: (914) 997-1576

IMPORTANT!!!

PLEASE NOTE:

The telephone number for

DANIEL H. COOK

has changed from (914) 381-2399 to:

(914) 250-0700

USA PHONE NUMBER: (914) 962-9579

Keep this page for future reference!!

A Bouquet from Us

*Our sympathy to Danielle Tibbs on the loss of her
father-in-law.*

Send items for, *A Bouquet from Us* to Elizabeth Bowler at:
ebowler@pnwboces.org

United Staff Association of Putnam/Northern Westchester BOCES

February 2009

200 BOCES Drive
Yorktown Heights, New York 10598