Janus v. AFSCME

What it means to me, my future, and why I should care?
JANUS VS. AFSCME
“What it means to me, my future, and why I should care”

BY MARK STEINBERG,
BMUST PRESIDENT

❖ Who can you count on to defend the most important financial piece of your life as a retiree - your pension?
❖ Who can you count on to negotiate your financial, workplace, and professional benefits as an employee of Bellmore-Merrick?
❖ Who can you count on to advocate for your interests in Albany and Washington D.C., where we have pseudo-education reformers like Andrew Cuomo and Betsy DeVos working to destroy public education?

These questions are hopefully rhetorical… the answers are BMUST, NYSUT, and the AFT/NEA… your UNIONS!

While unions have always relied upon the support of its membership, the upcoming Supreme Court case Janus v AFSCME this spring with its anticipated negative outcome, could deal a devastating blow to public union membership across the country.

Supported by anti-union groups like the National Right to Work Foundation and the Liberty Justice Center, which are funded by corporate CEOs and billionaires intent on destroying public employee unions, Illinois child support specialist Mark Janus is suing his union (AFSCME) because he believes that paying an agency fee (his fair share of union dues for enjoying the benefits and protections of a collectively bargained contract) is a violation of his First Amendment rights to free speech and freedom of association.

The fact is that Mr. Janus, and all public employees represented by a union, are not required to be members of their union. However, as per the 1977 Abood vs. Detroit Board of Education decision, nonunion employees in the public sector may be required to fund union activities related to “collective bargaining, contract administration, and grievance adjustment purposes” through the payment of an agency fee. Essentially these employees, who the union is required to represent, protect, and who benefit from any negotiated gains, can be required to pay their fair share through an agency fee.

For over 40 years, payment of a fair share agency fee has been the law. The Janus case seeks to change that. Janus was unhappy with some of the political activities of his union and he doesn’t want to be compelled to contribute anything towards the functioning of AFSCME while still reaping all of the benefits of union membership. He wants to be a free rider and have other members pay for his benefits.

The fact is, here in New York, political activities are strictly financed through member’s voluntary contributions to VOTE COPE, not through your union dues. Your union dues finance the services provided by BMUST, NYSUT, and the AFT/NEA. Your dues to BMUST have gotten you all of the benefits on the attached flyer “What has BMUST done for me?” None of this happened by accident. Your contract isn’t a gift from our employers. It was earned through the collective efforts of your union brothers and sisters while negotiating contracts on your behalf since the 1960’s. Your dues to NYSUT provide us with the vital services of our Labor Relations Specialist, all of the assets in the Nassau

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Regional Office, an extensive member benefits program, NYSUT Legal Services, and our collective voice for legislative advocacy in Albany. Nationally, our dues to the AFT/NEA helped finance lobbying efforts in Washington that helped replace the onerous NCLB and RTTT with a much more teacher-friendly ESSA. Confronting Betsy DeVos and her attacks on public education cannot be accomplished by BMUST or NYSUT. We need a national voice advocating for public education. Weakening our national voice would certainly trickle down and weaken our state and local voices. This is unacceptable and potentially career threatening.

BMUST, NYSUT, and the AFT/NEA all worked together last year to defeat the Constitutional Convention. That successful collaboration saved our pensions and our rights as union members. It was a wonderful show of solidarity.

This spring, we will need all BMUST members to demonstrate the same solidarity if given the opportunity to give up their union memberships. You might receive letters or knocks on your door from people encouraging you to stop supporting your union. Please, if this happens, ask yourself why are these people so interested in saving me some money? Why do they really care? Can they truly provide me with the benefits and protections of my union? If my union loses enough members and gets decertified will they be there to support me when my contract disappears? Once again, my questions are rhetorical.

Your BMUST brothers and sisters are here for you 365 days a year. When difficult situations come up, even during a weekend or in the summer, and they most certainly do, we are there for you. Your union will always be there to protect and support you. I sincerely hope we can count on every BMUST member for the same support so our union can remain strong.

In solidarity,

Mark

“Essentially these employees, who the union is required to represent, protect, and who benefit from any negotiated gains, can be required to pay their fair share through an agency fee.”
A Personal Note from

MIKE DOLBER
BMUST President, 2005 - 2013

Union leaders have probably overused the word “solidarity”, and I guess I was sometimes guilty of that when I was BMUST president. The phrase “In solidarity” was my reflexive way of signing memos and notes to the membership. But when you use a phrase too often it sometimes tends to lose its impact. This is not to say that I did not believe in the importance of member solidarity – I did, and I still do. But the unforeseen turn my life has taken in recent years has given me the time, and the opportunity, to see solidarity in another light.

I have never been a private person by nature. Many of you probably know that my wife, Elaine, passed away on January 16, following a long and cruelly destructive neurological degeneration. In a real sense, she was gone long before she actually left us. I made no attempt to keep her illness private – on the contrary, I wanted people to be aware of it. My life became that of a caregiver, and I was unable to do much of anything else. It had never been my intention to end my connection with my union after my retirement, and it was important to me during Elaine’s illness that my friends and former colleagues knew why I had “disappeared.” BMUST had defined a good part of my life for decades, and I felt I could not just withdraw without some explanation.

During Elaine’s illness, and since her passing, I have been fortunate to have incredible support – from my family and closest friends, from a wonderful team of people at the Visiting Nurse and Hospice Service of Suffolk, and, in a sense, from my union.

The support I received from the union was not from any formal or official action, but it was evident in the kind words, the texts and emails, the cards, the visits, and the thoughts of many of my union brothers and sisters. This, too, is solidarity. Union solidarity goes well beyond fighting for our salary, benefits, and rights. Obviously, that is the primary function of any union. But real solidarity includes the caring, support, and even love that we may be lucky enough to receive when we are in need. It extends beyond the workplace and beyond our careers.

It means that we look after one another, that we extend ourselves for each other, even in situations that are not union or work related.

I may be wrong. Maybe the kindness that has been shown me had nothing to do with the union or with solidarity. Maybe it was just human kindness. But I’d like to think that unionism, at its best, helps to create a kind of brotherhood and sisterhood that can help to sustain us during the worst times of our lives.

And now, with unions threatened by legal and political attacks, I have to believe that, at least in BMUST, solidarity exists and will continue to exist. I have to believe that our members will understand the importance of sticking by the union, and by each other, even if they disagree with union leadership on the local, state, or national level. I believe that if we look at the “big picture”, and we live and work in solidarity with others, our lives will be enriched.

I want to sincerely thank everyone who has reached out to me in any way. I had no idea how much these things meant, until I needed them.

Over the past few years, I’ve been continually reminded of John Lennon’s words from the song “Beautiful Boy” -- “Life is what happens to you while you’re busy making other plans.” Enjoy each day as much as you can. And take care of each other.

In solidarity,

Mike
What has BMUST done for me?

**FINANCIAL BENEFITS**
- Defined Salary Schedule Providing Automatic Annual Wage Increases
- Employer Sponsored Health Insurance and Buyout
- No Cost Dental Insurance
- No Cost Life Insurance
- No Cost Disability Insurance
- Paid Sick and Personal Days
- Paid Retirement Benefit for Unused Sick Days
- Paid Termination Benefit
- Access to 403-B and 457-B Savings Plans
- Sick Bank Rights
- Paid Bereavement Leave
- Paid National Board Certification
- Paid Lunch Duty
- Paid Coaching with Automatic Annual Increases
- Longevity Pay for Coaching
- Paid Advising Extra-Curricular Activities and Clubs
- Paid Mentorship Program
- Paid Curriculum Writing
- Paid Supervisions
- Seniority Protections against Arbitrary Layoffs
- Paid Coverages
- Numerous Paid Annual Stipends
- Extra Compensation for Overage and 6th Class Assignments
- Access to Flex Plan
- Advocate for a Strong Defined Benefits Pension Plan

**WORKPLACE BENEFITS**
- Defined Work Year -- 184 days
- Defined Work Day -- 6 hrs. 45 minutes
- Limits on Teaching Periods
- Defined Lunch and Unassigned Periods
- Limits on Duty Periods and Duties Assigned to Split Teachers
- Limits on Class Size and Any Other Changes to Our Working Conditions
- Child Care Leave with the Right of Return
- Opportunities for Personal Unpaid Leave
- Health Related Leaves
- Limits on Number and Length of After School Meetings
- Flexible Extra Help

**PROFESSIONAL BENEFITS**
- Defined Process for the Accumulation of Credits Beyond Master's Degree
- Defined Process for Salary Advancement on In-Service and Online Classwork
- Right to Examine Your Personnel Files
- Right to Respond in Writing to any Item Placed within Your Personnel File
- Right to Collectively Bargain our Contract
- Defined Grievance and Arbitration Procedures to Protect Against Violation of Contractual Rights
- Arbitration Cases go to An Independent Mediator whose Ruling is binding on both parties
- Right to Union Representation at all Disciplinary Hearings
- Multiple Union Reps in each Building
- Executive Officers who Maintain and Protect Contractual Rights
- Defined Contractual Committees
- Defined Observation and Evaluation Process (APPR)
Bellmore-Merrick Broadcasting (BMB), Mepham’s Satellite Program, has really begun to gain a presence district-wide. The opportunities this program provides for our students are really remarkable and will continue to grow as students attain more knowledge and skills to develop and share. This program is run by Stu Stein with the assistance of Matt Russell. Here are some highlights from the first half of the year.

- In September, 25 Freshmen and Sophomores went over to Calhoun High School to provide full-coverage and commentary of the Mepham / Calhoun football game.

- Rocco Law has designed and launched the 1st student-produced weekly show. It’s a sports commentary show that is gaining in popularity, among the students and staff.

- Fun and important special events are being filmed, covered, and broadcast including the District Follies Night, the Mr. Mepham Pageant, and our South East Asian Culture Night.

- Mike The Storm Daniels has been sharing his weekly weather reports, which have gained quite a following for their accuracy. I might dare say, he is BMB’s biggest celebrity to date.

- Weekly morning announcements, interviews, weather, and event coverage are produced and aired every Friday and our shared by a rotating cast of student anchors.

Check out BMB’s channel below and view some great coverage! We look forward to seeing more reporting from this outstanding program.

YouTube Channel: https://www.youtube.com/user/BMBCBroadcasting
Web Site: http://bellmore-merrickbroadcasting.weebly.com/
“MAMS IS SPRINGING FORWARD”

BY LISA SHAPIRO (MERRICK AVE M.S.), LOCAL DO•S WRITER

As we inch closer to the Spring, the staff at MAMS is helping the parents of the incoming 7th Grade students to prepare for their entrance into Middle School! We know the transition can be unsettling, as it is such a big change from life in elementary school. So the staff at MAMS does the best we can to introduce these students to a variety of our faculty members, even giving them a condensed version of a day in the life of a student here at MAMS. This orientation took place over the course of an evening earlier this month.

MAMS has been very active in other ways as well! Below are some of the highlights of MAMS in action:

1. The new 7th grade Coding Curriculum rolled out this Fall. The program is designed to introduce students to the concepts of coding on computers in multiple languages. Students had an opportunity to work in Scratch, Python, Html and other coding programs. Using the web-based company KidOYO, students had an incredibly successful semester. They were able to complete over 3,000 challenges as a group and took the community aspect of coding and learning to a whole new level. Those students are now in the new Intro to Entrepreneurship class where they will put their coding skills to use as they design a restaurant based on their ideas.

2. Our Science Olympiad team, led By Jenn Verwys and Bobby Zinke were extremely successful at their regional competition this year, thanks to their hard work and dedication. They participated in events that tested their knowledge of Science and their abilities in Engineering and Design. The team also received the Coaches’ Award for growing such a strong team in a short period of time. Students earned both Gold and Bronze medals in a variety of events.

3. A former Merrick Avenue student will begin construction of a gazebo for his Eagle Scout project. He has met with the district’s grounds crew and will be working with local businesses to help create a beautiful outdoor space for students and staff to enjoy. The official ‘Ground Breaking’ is projected to take place this summer. We are all looking forward to this!

4. The Jazz Band led by Rich Gilley and our a cappella group, Word of Mouth led by Dana Brandwein, took their students to Manhattan to see the Broadway musical “School of Rock.”

Prior to the holidays, for the 25th year in a row, the Jazz Ensemble, accompanied by Word of Mouth, performed various holiday selections at the Bristal Assisted Living Center and the Seasons Lifestyle Community in East Meadow.

But wait, there’s more!

- The International Buddy Club held a Valentine’s Day Fundraiser. Monies raised were donated to St. Jude’s Children’s Hospital.

- We have a new sound system! It will make its official public debut at our Drama Club’s opening night performance of Bye Bye Birdie on March 15th!
“CALHOUN PRACTICES KINDNESS”

BY WENDY SIMSON (CALHOUN H.S.), LOCAL DO’S STAFF WRITER

With the recent shootings/ acts of terror the Calhoun community has been vigilant on providing a safe and supportive environment for all. Calhoun students were greeted with hot cocoa provided by our Site Based committee with labels on the cups like “Connect with Kindness and Cocoa”, “A small act of kindness because we care…pass it on”, “Calm with Cocoa”, etc. Calhoun wanted to brighten students’ with a smile and to give a small act of kindness.

Congratulations to Mr. Moeller who is being honored as one of the NY Giants Coach of the Week Award winners. Coach Moeller was invited to a dinner with the 11 honorees at the Legacy Club at MetLife Stadium on March 23. Additionally, the Giants will make a $2,000 donation to the football program. Congratulations to him and the coaching staff for their award winning season.

Mindfulness Thursdays: Anne Ruvolo and Sandy Sardo have been leading an 11-minute breathing/ calm-mind meditation, designed for both beginners as well as experienced meditators. Teachers meet before school to practice meditation and relaxation techniques. It was so well received that it was also introduced at a faculty meeting this February.

“GOOD DECISIONS WEEK”

BY BRUCE REED (JFK H.S.), LOCAL DO’S EDITOR

Spotlighting a wide variety of topics, JFK’s faculty and student body embarked upon our “Good Decisions Week” during the week of February 26 - March 2. The endeavor was marked by a series of school assemblies and workshops which included students from all grade levels. The purpose of “Good Decisions Week” was to foster a spirit of kindness and fellowship, empowering all participants to make a positive impact on our larger community.

The Freshman class spent the morning with FBI Special Agent Debra Messineo, who engaged the class with anecdotes from her case load regarding crimes related to the Internet. Agent Messineo delved into the issue of cyber bullying and laws related to that issue. Sophomores participated in a Q&A with a Dr. Dewey, who shared current statistics and treatment for substance abuse. The Junior class participated in Mark Black’s assembly, which centered on his message of resiliency in the face of adversity. And the Seniors spent time exploring safe driving topics, including DWI and the dangers of distracted driving.

Also during this week, Kennedy’s Gay Straight Alliance presented a Public Service Announcement to the faculty, inviting them to promote each classroom as a “Safe Space” for all students. Teachers were invited to take “Safe Space” stickers to display at the entrance of their classrooms. The GSA PSA can be viewed by clicking the following link: GSA PSA
St. Valentine’s Day at Grand Avenue Middle School was a usual flurry of heart-shaped chocolates and “candygrams.” However, most of us probably do not realize that February 14th is also known as National Organ Donor Day, a reminder that there is more than one way to send someone a heart.

Earlier this month, the new Grand Avenue library was converted into a temporary television studio, when Greg Cergol and NBC News came to interview Earth Science teacher Ken Abbott about his recent experience as a heart transplant recipient.

In his early forties, Ken was diagnosed with sarcoidosis, an autoimmune disorder that can attack different organ systems in the body and which did, in fact, cause an abnormality in Ken’s heart. While he was able to live normally with a pacemaker/defibrillator for five years, the time eventually came that Ken’s condition had deteriorated enough to require transplantation of a donor heart. On December 23, 2016, Ken received his heart transplant at Mount Sinai Hospital. In early January, he returned home. By April, he was teaching again.

One year after the transplant saved his life, Ken became interested in the Donate Life Transplant Games, a multi-sport festival event in Salt Lake City for individuals who have undergone life-saving transplant surgeries. Produced by the Transplant Life Foundation, the games celebrate the lives of organ donors and recipients and highlight the importance of organ donation. Ken, sponsored by LiveOnNY, a nonprofit organ procurement organization, is potentially one of ten people who will be chosen from the New York metro area to compete in this year’s games. NBC picked up the story from LiveOnNY’s public relations specialist, Ali McSherry, in an effort to illustrate the urgent need for transplant donors in New York.

Following the NBC interview, Kennedy and Mepham High Schools hosted a presentation by Mark Black, a heart-lung transplant recipient, author of the book Live Life from the Heart, and motivational speaker. Mark’s message to kids and parents further raised awareness in the community of the need for organ donors.

In New York State, those aged 16 and 17 can register their consent to donate with parental consent. Unfortunately-- and somewhat surprisingly-- New York State ranks last in the nation (50th of 50 states!) for its low percentage of residents registered as organ donors (31%, as compared to the national average of 56%). People like Mark and Ken are determined to help change that statistic.

While he awaits his chance at the Transplant Games, Ken has set his sights on raising funds to support transplant and organ donation awareness. In his words, “People should realize that, through tissue and organ donation, one life can save fifty.” He would love to see one of the District’s many charity events one day focus on this very important and worthwhile cause.
Mary Sweeney has an exciting service-learning project going on in Environmental Science! The students are learning hands-on how to plant and care for seedlings, which will eventually become produce for the Community Cupboard. The seeds were granted to MAP by Seed Savers Exchange, a nonprofit organization whose mission is “to conserve and promote America’s culturally diverse but endangered garden and food crop heritage for future generations by collecting, growing, and sharing heirloom seeds and plants.” Through this project, the students are helping to preserve the biodiversity of our local food heritage!

Ms. Sweeney’s students are currently working with heirloom leeks, twelve varieties of heirloom tomatoes, and eight varieties of heirloom peppers, which have germinated under lights on a heat mat in the classroom. In the coming weeks, they will plant cucumbers, watermelons, eggplants, carrots, legumes, and squash. They are very excited to be planting some foods they have never seen before! To bring the assignment full circle, students will be saving the seeds from these plants for a genetics laboratory experiment.

After our last frost date, the seedlings will be planted in the Brookside garden where they will be tended until their weekly harvest dates, at which point students will set up a farmers market display to present the vegetables to the families who participate in our Community Cupboard. The varieties of vegetables we are growing for the food pantry are rarely available in stores, and our Community Cupboard families may begin their own gardens with the seeds from the plants they are given because all of the fruits and vegetables are heirloom varieties.
Your monthly bills won’t stop if you become unable to work

Insurance is the type of product that you hope you never have to utilize. In the event that you need to use it, though, it’s important to have the insurance product that best meets your individual needs.

The NYSUT Member Benefits Trust-endorsed voluntary Disability Insurance Plan — provided by Metropolitan Life Insurance Company — provides valuable income replacement benefits to help meet your living expenses if you become partially or totally disabled and are unable to work.

Disability insurance can be customized to fit within your budget and still provide peace of mind until you are able to get back on your feet and return to work. Applications for the new NYSUT Member Benefits-endorsed Disability Insurance Plan are now available, with coverage effective dates on or after Jan. 1, 2018 from the Plan Administrator, Mercer Consumer.

For more information and/or to get an application, visit memberbenefits.nysut.org or call 800-626-8101 for specific information about this program.

Call to Action: Proposals requested for NYSUT Educator’s Voice

New York State’s classrooms are among the most diverse in the nation. In recognition of this, NYSUT is currently seeking article proposals on “Culturally-Responsive Teaching” for consideration in its annual edition of Educator’s Voice, a Journal of Best Practices in Education. The deadline for proposals is June 15, 2018.

Do you have a project or practice that works well in your classroom, something you are passionate about and would like to share with other educators across the state? This is a great opportunity to write about it and become published in NYSUT’s member journal, a publication created by NYSUT members for NYSUT members. No previous experience is needed nor do you need to be a professional writer to be published in Educator’s Voice.

Once accepted, authors receive a great deal of editorial support and writing guidance throughout the year-long publication cycle. The result is a professional, research-based publication that can be shared with your colleagues and used for professional development. Authors or author teams can collaborate across schools or with partners in higher education; at least one author must be a NYSUT or affiliate member.

For more information and/or to download the author submission form, visit http://www.nysut.org/educatorsvoice.

Previous editions of this publication are available at https://www.nysut.org/resources/special-resources-sites/educators-voice.

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