



Solidarity!

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What Does Your MTI Contract Do for You? *Just Cause*

JUST CAUSE does not mean “*just because*”. It sets standards and procedures which must be met before an employee can be disciplined or discharged. Fortunately, for those in MTI’s bargaining units, all have protection of the *JUST CAUSE STANDARDS*. They were negotiated by MTI to protect Union members.

There are seven just cause tests, and an employer must meet all seven in order to sustain the discipline or discharge of an employee. They are: notice; reasonableness of the rule; a thorough and fair investigation; proof; equal treatment; and whether the penalty reasonably meets the alleged offense by the employee.

MTI’s various Contracts enable a review and binding decision by a neutral arbitrator as to whether the District’s action is justified and the burden of proof is on the District.

These steps seem like steps every employer should have to follow. They are not, but MMSD must follow them because of MTI’s Contracts. *Governor Walker’s Act 10 destroys these protections. MTI is working to preserve them.*



Primary Election February 21

Although MTI has not endorsed in any election occurring during this Spring’s Primary Election, there is one Dane County Circuit Court race which has a primary. Be sure to vote

February 21.

In April’s General Election, MTI has endorsed **Arlene Silveira** and **Michael Flores** for Madison Board of Education, **Frank Remington** for Dane County Circuit Court Branch 8, and **JoAnne Kloppenburg** for Court of Appeals District IV. This Spring’s election is high stakes for District employees. Contact MTI Assistant Director Jeff Knight to volunteer (knightj@madisonteachers.org).

Professional Development Day February 24

At the directive of the Board of Education, *time will be reserved on February 24 to enable discussion of what*

“teachers need from the District to help in the classrooms.” Board members ask that teachers be sure that their comments and concerns are discussed.

Principals are obligated to inform Board members of the topics brought forward by teachers for discussion.

EA-MTI General Membership Meeting March 7



Members of MTI’s educational assistants’ bargaining unit (**EA-MTI**) will meet on **Wednesday, March 7, at MTI Headquarters**, commencing at 4:00 p.m. The purpose of the meeting is to receive nominations for a number of positions which expire on the EA-MTI Board of Directors and to conduct general business for the organization. Nomination forms have been mailed to members of the bargaining unit. Nominations may also be made at the March 2 meeting. Nominations will close at that meeting.

How Cold Is Too Cold?

For the most part, the 2011-12 winter season has been a mild one. The following information is provided from the Occupational Safety and Health Administration (OSHA), should colder temperatures come our way.

When the body is unable to warm itself, cold-related stress may result. Four factors contribute to cold stress: cold air temperatures, high velocity air movement, dampness in the air, and contact with cold water or surfaces. A cold environment forces the body to work harder to maintain its temperature. Cold air, water, and snow all draw heat from the body. Wind chill is the combination of air temperature and wind speed, e.g. if the air temperature is 40°F, and the wind speed is 35 mph, your exposed skin receives conditions equivalent to the air temperature being 11°F. While below freezing conditions combined with inadequate clothing can bring about cold stress, it can also occur by temperatures in the 50's coupled with some wind and rain.

Protective clothing is the most important way to avoid cold stress, including the type of fabric. Cotton loses its insulation value when it becomes wet. Wool, silk, and most synthetics retain their insulation even when wet. To protect yourself in cold weather, wear at least three layers of clothing - an inner layer of wool, silk or synthetic to wick moisture away from your body; a middle layer of wool or synthetic to provide insulation even when wet; and an outer wind and rain protection layer that allows some ventilation to prevent overheating.

Cold stress is far less likely to occur when you are in an indoor or protected environment. However, it is still recommended that you layer your clothing, and with the exception of the wicking layer, do not wear tight clothing. Loose clothing allows better ventilation of heat away from the body. Wear warm socks and shoes. This is important because, when you are in a cooler environment, most of your body's energy is used to keep your internal temperature warm. Over time, your body will begin to shift blood flow from your hands, feet, arms, and legs, as well as uncovered outer skin, to your body's core, allowing exposed skin and extremities to cool more rapidly. State of Wisconsin Health and Safety codes state that a minimum temperature of 67°F must be maintained in classrooms and other work spaces.

If you have any concerns about the heating in your building, contact Eve Degen at MTI (degene@madisonteachers.org)

Student Behavior Concerns

MTI's Teacher Collective Bargaining Agreement, Section V-C-4-b, contains provisions for dealing with *students whose behavior or learning is a significant concern* to their teachers. Under V-C-4-b, *if a teacher is of the opinion that the inclusion of a student with disabilities in the teacher's classroom results in a significant concern regarding said student's behavior or learning, the teacher can request, in writing, assistance from the principal.* Said request should be in the form of a letter laying out the nature of the concern as it relates to the student's IEP. The principal is required, if feasible, to respond to the request by the following day.

This Contract Section was bargained in the early 90's, and was reaffirmed in 2009-13 negotiations. During the subsequent years since it was bargained, numerous **MTI members have taken advantage of the protections and have been able to help correct behavior and/or learning concerns.** Unfortunately, however, many MTI members are persuaded by their administrators to not use these protections. Administrators have told teachers that, should they request assistance in writing, they would be admitting fault or admitting that they are incapable of dealing with these students. *These claims by the administrators are unfounded.*

Instead, **requesting assistance in writing is an effort to put the District on notice that IT is failing to provide federally mandated services to the students in question.** The request is a *notice that the District is failing to meet the goals and provide the protections mandated by the student's IEP and thereby making it more difficult for all students in the classroom to achieve.* This is not a failure on the part of the teachers, but a failure on the part of the District. The protections provided by V-C-4-b were hard-won and must be utilized.

Anyone with questions regarding this Contract Section or its usage should contact **Sara Bringman** at bringmans@madisonteachers.org.

Calendar of Events

- **Tuesday, February 21, 4:15 p.m., SCFL**
MTI Faculty Representative Council
- **Tuesday, March 6, 4:15 p.m., MTI**
MTI Special Education Sub-Committee
- **Wednesday, March 7, 4:00 p.m., MTI**
EA-MTI Board of Directors
- **Monday, March 12, 4:30 p.m., MTI**
MTI Board of Directors
- **Tuesday, March 13, 4:15 p.m., MTI**
MTI VOTERS Political Action Committee

Our Union Makes Us Strong!

MTI's web page - www.madisonteachers.org

MTI's email - MTI@madisonteachers.org