



821 Williamson Street • Madison, Wisconsin 53703-4503 • Phone (608) 257-0491 • Fax (608) 257-1168

# Solidarity!

## February & March Deadlines

MTI's **Teacher Collective Bargaining Agreement** provides that *credits for salary advancement for passage over a salary barrier or to move to a higher track*, effective with the beginning of the second semester, are due in the District Office of Human Resources by 5:00 p.m., **February 1**.

Application for **Sabbatical Leave**, available under MTI's **Contract** for members of the teacher bargaining unit, for either the first semester of the 2013-14 school year or for the entire school year are due in the MTI Office by 5:00 p.m., **February 1**.

Those wishing to access the **MTI-negotiated Teacher Retirement and Teacher Emeritus Retirement Program (TERP)** must submit application by 5:00 p.m., **February 15**, to the District Office of Human Resources.

**MTI's Contract** setting forth the terms and conditions of employment for teachers, enables **Temporary Reduction of Contract to Part-Time with the Right to Return to Full-Time** (see Contract Section IV-W). Full-time teachers who wish to work part-time may do so for one year and have the Contract right to return to full-time regular employment commencing with the subsequent school year. Requests for participation must be made in writing to the District Office of Human Resources on or before **March 1 for the 2013-14 school year**. *Reducing one's contract without doing so by using this contract provision has major negative implications. Members considering this are urged to contact MTI staff (257-0491).*

## Deadlines for Leave of Absence

Section VI-B (Leaves of Absences) of **MTI's Teacher Collective Bargaining Agreement** provides that all *non-medical leaves except academic, adoption and childrearing leaves, must be for a minimum of one full school year* and must commence at the beginning of the first semester. Academic or childrearing leaves must be for a minimum of one semester. Leaves and leave extensions are granted to teachers as follows:

**Initial Request:** One semester (academic or childrearing).

**Extension:** One extension will be allowed for the semester following the semester of the initial leave, unless the initial request is for the second semester or the school year, then the extension must be for the entire school year.

**Initial Request:** One full school year (academic or childrearing). **Extension:** One extension consisting of the following school year.

Other than for *academic* leaves of absence or extension of same, leave of absence requests for the first semester or the full school year for 2013-14, or to extend a leave of absence, must be made in writing through the principal/supervisor to Human Resources by **March 1, 2013**. A request for an *academic* leave or for an extension of same must be made to the Department of Human Resources by **May 1, 2013** for the first semester or the ensuing school year.

*One remains a member of MTI's bargaining unit while on leave and has benefits available while on leave. Given this, partial dues while one is on leave can be paid during the leave or upon return.*

## Board Policy 4221 Update: Use of Restraint and Seclusion

In response to the demands of MTI members seeking further clarification regarding the District's enforcement of Board Policy 4221 - **Use of Restraint and Seclusion** - Interim Superintendent *Jane Belmore* provided a memo **defining restraint** and providing guidance about appropriate instances of incidental or brief physical contact with students while carrying out one's duties. The Superintendent also clarified that, **"Physical restraint is NOT briefly touching or holding a pupil's hand, arm, shoulder or back to calm, comfort or redirect the pupil."**

While MTI continues to encourage staff to be cautious when redirecting students using any physical prompts, Belmore's clarification is welcome. The District is in the process of providing training to staff relative to the appropriate use of physical restraint and seclusion, within the meaning of applicable Wisconsin Statutes.

## Celebration of Martin Luther King Turns on Governor Walker

Capital Times Editor Emeritus, Dave Zweifel, has been covering the annual celebration of Dr. Martin Luther King, Jr.'s contributions to the advancement of civil rights since the event was begun by Governor Dreyfus in the early 1980's.

One of those recognized this year for his work in advancing civil rights was the now-deceased Milwaukee activist priest, Father James Groppi. His widow, Margaret Rozga, accepted the award. Zweifel reported in last week's *The Capital Times* that Rozga spoke critically of those who attempt to, **"curtail voting rights, degrade union representation and harm the environment"**, and that she was obviously referencing Governor Scott Walker, who was sitting right behind her.

Reverend King had once written to Father Groppi, who led many protests aimed at advancing civil rights, that Groppi's work inspired him. Rozga said of Wisconsin's 2011 anti-worker legislation, which was promoted by Walker, that **"these people are not in the tradition of Martin Luther King."**

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## Our Union Makes Us Strong!

MTI's web page - [www.madisonteachers.org](http://www.madisonteachers.org)

MTI's email - [MTI@madisonteachers.org](mailto:MTI@madisonteachers.org)

## Family and Medical Leave Laws: Basic Facts

MTI staff has assisted thousands of MTI members relative to accessing benefits under the Wisconsin and Federal Family & Medical Leave Acts. Basics follow.

### **Wisconsin Family and Medical Leave Act (Wisconsin FMLA)**

- One must have been employed by the District for at least 52 weeks and have worked at least 1000 hours in that period to be eligible for the benefits under Wisconsin FMLA.
- One shall be allowed up to six weeks (30 workdays) of unpaid leave in a twelve-month period (the calendar year) for the birth or adoption of a child with the leave to begin within 16 weeks (before or after) of the birth or placement of that child.
- One shall be allowed up to two weeks (10 days) of unpaid leave in a twelve-month period (the calendar year) for the care of a child (including those over 18 years of age), spouse or parent (including in-laws) with a serious health condition. The same length of leave is available for one's own serious health condition. *The District may require certification from a health care provider. The time off can be taken intermittently.*
- The leave can be with pay if one asks to substitute accumulated paid leave such as personal illness leave or vacation leave; otherwise the leave is without pay.
- The District must continue the same level of group insurance payments (health and dental) during all such leave, paid or unpaid, that which was paid by the District prior to the leave.
- One wishing to take Wisconsin FMLA leave should give the District reasonable notice. A family/medical leave request can be requested on the District's "Leave Request" form. One must indicate the type and date(s) of leave requested, the reason for the leave (who it is to care for?), the probable length of the leave (if known), and if one wants to substitute paid leave for otherwise unpaid leave.

### **Federal Family and Medical Leave Law (Federal FMLA)**

- Eligibility is the same as under Wisconsin law except that one must have worked at least 1,250 hours immediately preceding the date the FMLA leave commences.
- All eligible employees can take up to 12 weeks of unpaid leave in a rolling 12-month period for any combination of the following:
  - Birth/adoption or the placement of a child with the employee for foster care.
  - To care for a spouse, child, or parent with a serious health condition.
  - For a serious health condition of the employee (which makes the employee unable to perform his/her job).
- The Federal law requires the District to continue group insurance payments (health and dental) at the same level as it did prior to the leave (same as Wisconsin law).

- Federal FMLA unpaid leave may also be with pay; one can ask to substitute other paid leave (same as Wisconsin law); however, the District may also require the employee to substitute paid leave (e.g., accrued personal illness leave) for otherwise unpaid leave.
- One should provide the District with reasonable notice of one's leave, and the reason(s) for the leave (same as Wisconsin FMLA).

An **advantage of the Federal law** is that there is a potential total of 12 weeks of leave. Under Wisconsin law there is a two-week-per-year limit for medical leave for family members, and a six-week-per-year limit for leave in connection with the birth or adoption of a child. The **Federal** 12-week total can be used in any combination for any or all of the events (birth/adoption, family medical, or employee medical). Leave may also be taken on an intermittent basis, in some cases, under the Federal law (same as Wisconsin FMLA).

The **Federal law is written so as to not replace or reduce any leave benefits under Wisconsin law.** However, the two laws do not combine to allow 18 weeks of leave for birth/adoption; rather, the two run concurrently for six weeks, and then the Federal law allows up to six more weeks (unless already used earlier in the year), if the employee is eligible.

MTI members who have specific questions or wish more information, should contact MTI Assistant Directors **Eve Degen** ([degene@madisonteachers.org](mailto:degene@madisonteachers.org)) or **Doug Keillor** ([keillord@madisonteachers.org](mailto:keillord@madisonteachers.org)) at MTI headquarters.

## Calendar of Events



- **Monday, January 28, Doyle**  
**McDaniels Auditorium**  
Special BOE Meeting (5:00 p.m.)  
BOE Regular Meeting (6:00 p.m.)
- **Monday, February 4, Doyle Room 103**  
BOE Student Achievement Subcommittee (5:00 p.m.)
- **Tuesday, February 5, 4:15 p.m., MTI**  
MTI Special Education Sub Committee
- **Wednesday, February 6, 4:30 p.m., MTI**  
SEE-MTI Board of Directors
- **Monday, February 11, 4:30 p.m., MTI**  
MTI Board of Directors



As a show of  
**SOLIDARITY,**  
wear **MTI RED** every  
**MONDAY!**