



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

# Solidarity!

## Teachers: What Does it Mean to be Declared “Surplus”?

During the next few weeks, many teachers will be advised by their principals that they have been declared “surplus” for the 2013-14 school year. While being declared surplus from one’s position can be stressful, the stress is heightened by one confusing “surplus” with “layoff”. These two provisions of the MTI/MMSD Collective Bargaining Agreement are **separate and distinct with far different implications for the individual**. Both are defined in Section IV-O of MTI’s Teacher Contract (*surplus procedures for MTI-represented EA, SEE and SSA employees differ and will be explained in future articles*).

A teacher who has been declared “surplus” is defined in the MTI/MMSD Collective Bargaining Agreement as any teacher presently teaching under a regular full-time or regular part-time contract who has been *declared by their principal to be above staff requirements at their school for the ensuing school year or semester*. Simply stated, a “**surplus teacher**” is a staff member who is no longer needed, in the school in which they currently teach, but is needed to teach elsewhere in the District.

A teacher who is issued notice of **layoff** is a staff member *no longer needed to teach anywhere in the District, because they are above staff requirements for the District*. Surplus declarations typically occur in March, while layoff decisions are made by the end of May.

This year, the District’s Human Resources Department provided staff allocations to principals/supervisors on March 1, giving them until March 11 to respond to HR with surplus declarations. Therefore, while the Contract deadline to declare surplus remains July 1, **most surplus declarations are expected to occur by March 11 of this school year**.

**Issuing declarations of surplus is a two-step process** which, in accordance with the terms and conditions of the Contract, **must begin with the principal first requesting volunteers**. The purpose of requesting volunteers is to give teachers, who would otherwise not be declared surplus, an opportunity to change their assignment using the surplus/reassignment procedure. *The principal does not have to accept the volunteer as surplus if the teacher volunteering to be surplus would result in the remaining teachers at the building not being certified to teach the remaining assignments at the school. If there are no volunteers, or if there are an insufficient number of volunteers, then the principal must declare the teacher(s) surplus using the procedure set forth in Sections IV-O-2 & 3 of the Collective Bargaining Agreement as follows:*

**Elementary and Middle Schools:** Inverse order of seniority among those teachers in the school, except “where the instructional requirements of the school are disrupted.” (*An example of disruption to the instructional program would be where declaring the least senior teacher surplus would leave the remaining staff uncertified to teach the remaining assignments.*)

After declaring surplus in the elementary or middle school, a principal may need to make necessary adjustments in assignments within the school. The principal may do this provided he or she “duly considers” the prior experience and certification of the remaining school staff.

**High Schools:** Based on certification and the **inverse order of seniority** among those teachers **within a department**.

**Seniority**, another topic of frequent misunderstanding, is defined as **how long one has been employed as a teacher in the MMSD commencing with the first day worked** under regular contract followed by continuous service (see Section IV-O-1 of the Collective Bargaining Agreement). *There is no such thing as “building seniority”*. One’s seniority in the district is used to compare to others in the building as regards surplus and to compare to others in the District as regards layoff. See Contract Section IV-O for additional criteria. An informational Q & A sheet on surplus is available on the MTI webpage, [www.madisonteachers.org](http://www.madisonteachers.org) or via your MTI Faculty Representative.

Teachers who began in **1977** or earlier should review Section IV-O of the Collective Bargaining Agreement.



**EA-MTI General  
Membership Meeting  
March 6, 4:00 p.m.,  
Labor Temple**

Members of MTI’s Educational Assistants’ bargaining unit (EA-MTI) will meet on **Wednesday, March 6**, commencing at **4:00 p.m.**, at the **Labor Temple** (1602 S. Park St.), **Room 109**. There are many issues of importance for EAs, NAs and SEAs to discuss: *stagnant wages, fewer hours of work, staff involvement, professional development, public communications, and the political future of the EA bargaining unit. Attend this meeting! Make your voice heard!*

Nominations for positions on the EA-MTI Board of Directors will also be taken at the March 6 meeting. EAs may also make nominations via the nomination form that has been sent out to all EA-MTI bargaining unit members. **Get involved in your Union!**

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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)

## Snow Day Make-up Minutes: All Elementary Schools and LaFollette High School

As a result of the two days on which MMSD schools were closed in December due to weather, make-up minutes will need to be added to all Madison elementary schools and to LaFollette High School to insure compliance with DPI standards. State statutes require schools provide 1137 hours of instruction annually. With the instructional time lost on the two snow days, MMSD elementary schools were short 277 minutes and LaFollette High School was short 215 minutes. In order to make-up the necessary time, the District will make the following adjustments:

- **Elementary schools** will have a full day of school on the last day of school, June 13.
- **LaFollette High** will add four (4) minutes to the second block commencing March 11 and will also have students present an additional 31 minutes on the last day of school.
- **4K and EC Programs:** Both the AM and PM sessions will hold class on June 13<sup>th</sup> (this is a change from the original ending date of June 12).
- **All other MMSD middle and high schools:** No additional make-up minutes as these schools have sufficient hours built into their schedules.

When snow days result in the need to make-up instructional time, the MTI/MMSD Collective Bargaining Agreement enables the District to make necessary adjustments to the school year or school day *in consultation* with MTI.

## SEE-MTI General Membership Meeting, Wednesday, March 20 Labor Temple



A general membership meeting of MTI's Supportive Educational Employees (SEE-MTI) bargaining unit has been scheduled for **Wednesday, March 20** at the Madison Labor Temple, Room 201C, beginning at **4:30 p.m.** Come join your colleagues to find out what your Union is doing to meet our challenges and to help chart the course ahead. Convenient parking and refreshments provided.



Show Your  
**SOLIDARITY!**  
Wear **MTI RED** Every  
**MONDAY!**  
**"WE ARE WISCONSIN"**

## Be There, March 11

The battle continues to restore democracy in Wisconsin and the rights of public employees which were stripped by the horrendous, far-reaching terms of Act 10 in February, 2011.

The legislation, promoted by the American Legislative Exchange Council, has caused severe harm to public employees not only in Wisconsin, but also in Michigan, Indiana, Ohio, New Jersey, New York and other states.

**MTI's victory in Circuit Court has enabled MTI to negotiate Contracts through June, 2014, for all five MTI bargaining units,** but not all public employee union members have been so fortunate. MTI is one of only a handful of unions which have been so successful.

The film **"WE ARE WISCONSIN"**, which transcends single-issues politics, is a powerful argument for staying in the fight, and an inspiring testament to the power of citizen activism and our movement. *For each and every public employee and their family members, we must renew and carry forward the fight to restore what we have won in MTI's 47 years of collective bargaining and member activism.*

The **Day of Recommitment** will be an opportunity for activists from all sectors to promote goals and mobilize members/supporters for upcoming campaigns. The evening will include a screening of **Amie Williams'** award-winning documentary film, **"WE ARE WISCONSIN"**, and a nationally webcast town hall from Madison with leading labor voices and other activists. It will also be the launch of a robust online campaign to connect activists nationwide to share stories and resources.

**BE THERE!** Join your MTI brothers & sisters and other public employees on **March 11** at **The Alliant Center** for a free showing of the updated film, **"WE ARE WISCONSIN"**. Doors open at **5:30 p.m.**, program begins at **6:00 p.m.**

## Calendar of Events



- **Monday, March 4, Doyle Auditorium**  
BOE Student Achievement Committee (5:00 p.m.)
- **Tuesday, March 5, 4:15 p.m., MTI**  
MTI Finance Committee
- **Wednesday, March 6, 4:00 p.m., SCFL**  
EA-MTI General Membership
- **Thursday, March 7, 4:15 p.m., MTI**  
Special Education Sub-committee
- **Monday, March 11, 4:30 p.m., MTI**  
MTI Board of Directors
- **Tuesday, March 12, 4:15 p.m., MTI**  
MTI VOTERS Political Action Committee
- **Tuesday, March 19, 4:15 p.m., SCFL**  
MTI Faculty Representative Council
- **Wednesday, March 20, 4:30 p.m., SCFL**  
SEE-MTI General Membership
- **March 25 - April 1, SPRING BREAK**