



# Solidarity!

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## What Does Your MTI Contract Do For You? *Just Cause*



The *Just Cause* protection all MTI members enjoy was not a gift from the School District or granted by state or federal law. **It was won in bargaining for members of all five MTI bargaining units, and is the right of every MTI member who is beyond probationary status.** Most employees throughout the United States do not have Just Cause protection in their workplaces. **THEY CAN BE FIRED OR LAID OFF FOR VIRTUALLY ANY REASON**, just as Madison School District employees could be before they formed MTI and the Union negotiated the Collective Bargaining Agreements that **require the School District to follow a process and communicate with the Union and the employees before disciplining or terminating them.** Then, under the terms of the Contract, the District must prove that they have “just cause” for their action.

Section IV- J, 1-9 (page 60-61) of the MTI teachers’ collective bargaining agreement spells out the process the District must follow in order to non-renew an employee. The Contract reads, “*Prior to the recommendation for nonrenewal of a non-probationary teacher, and no later than the last day in February of the then current school year, the District shall provide said teacher and the Executive Director of Madison Teachers with a written explanation of the specific alleged deficiencies of the teacher. Said explanation shall include an analysis of points of weakness with specific examples, recommendations for overcoming the alleged deficiencies, specification of the available assistance, and a reasonable period of time for correction.*”

*Just Cause* means, essentially, that employers cannot terminate or discipline employees without a substantial reason. The seven tests of *Just Cause* are:

- **Notice:** Did the employer give warning of the possible consequences of the employee’s conduct?
- **Reasonable Rule:** Was the employer’s rule reasonably related to the operation of its business or the performance the employer can reasonably expect of the employee?
- **Investigation:** Before disciplining the employee, did the employer make an effort to discover whether the employee did, in fact, violate a work rule?
- **Fair Investigation:** Was the employer’s investigation conducted fairly and objectively?
- **Proof:** Did the investigation produce proof that the employee was guilty as charged?
- **Equal Treatment:** Has the employer applied its rules even-handedly to all employees?
- **Penalty:** Was the degree of discipline reasonably related to the seriousness of the proven offense and the employee’s work record?

These steps seem like common sense and basic human decency, but District employees only have them because MTI negotiated them. *Governor Walker’s Act 10 destroys these protections. MTI is working to preserve them.*

***Fun Recall Fact:*** *The number of people who signed to Recall Walker would fill Lambeau Field 14 times!*

## Important February Deadlines

**Salary Advancement Credit for passage over a salary barrier or for salary track advancement, effective with the beginning of the second semester,** are due in the office of Human Resources by 5:00 p.m., **February 1.**

**Sabbatical Leave applications** for either the first semester of the 2012-13 school year or for the entire

school year are due in the MTI Office by 5:00 p.m., **February 1.**

**Teacher Retirement and Teacher Emeritus Retirement Program (TERP)** enrollment applications are due in the office of Human Resources by 5:00 p.m., **February 15.**

## Support the Chester Upland Crisis Fund

The Chester Upland School District in Delaware County, Pennsylvania, is in the midst of extreme economic crisis. School district administrators say the district is out of money and cannot meet payroll. On January 3, members of Chester Upland School District's employee associations resolved to work for delayed compensation for as long as each person is able, even if the school district fails to meet payroll later this month. The associations also passed a resolution calling on the Pennsylvania Department of Education to release funds to keep the district open. This will only last for a short time.

The **Pennsylvania State Education Association** has created the **PSEA-Chester Upland Crisis Fund** to provide financial support to members of the Chester Upland Education Association and Chester Upland Education Personnel Association during this emergency situation where the welfare of the students of the District is in jeopardy. Individuals can send contributions to:

**PSEA-Chester Upland Crisis Fund c/o PSEA  
400 North 3rd St.  
Harrisburg, PA 17105**

The contributions will be distributed by PSEA as soon as feasible, and on as regular a basis as feasible, to each member of CUEA and CUESPA for so long as the crisis exists and the district cannot make payroll. More information is available on the PSEA website at [www.psea.org/chesterupland](http://www.psea.org/chesterupland).

## Important Reminder: WPS Health Insurance Deductible

In 2004, when MTI and the District negotiated revisions in health insurance available to MTI represented District staff, it was agreed, for cost savings reasons, to have participants directly pay the deductible, rather than having it deducted from one's wage check. Under the revisions, there is no longer a pre-paid deductible paid through monthly payroll deduction. *Note that the new deductible year begins January 1.*

Participating employees will be advised by WPS, following WPS being billed by the provider, of the amount due to be paid toward the deductible, as well as which provider of service they should pay, until the deductible (\$300/single or \$600/family) is satisfied. **Therefore, it is important to review the WPS EOB form and only make payments to a provider when WPS advises you to do so.**

*Need reimbursement for services* paid for while on vacation (e.g. emergency room), or if your provider requires payment at time of service (e.g. acupuncture)? For faster reimbursement, itemized receipts can be submitted to Judy Wanless, Director of Claims, WPS, P.O. Box 8190, Madison, WI 53708-8190.

*Questions about your deductible?* Contact WPS Customer Service at 221-7058.

## Knowing Our History

The **Wisconsin Labor History Society** has announced that its annual High School Essay Contest is now open to all Wisconsin high school students (grades 9-12). Students are invited to write 750 words on the following theme: "Unions have been important to my family and community because..."

Submissions must be postmarked on or before February 17, 2012. Cash prizes ranging from \$100 to \$500 will be awarded in April 2012. For more information, go to the Wisconsin Labor History Society website at [www.wisconsinlaborhistory.org](http://www.wisconsinlaborhistory.org).

## Quote of the Week

*"Cutting the deficit by gutting our investments in innovation and education is like lightening an overloaded airplane by removing its engine. It may make you feel like you're flying high at first, but it won't take long before you'll feel the impact."* – President Barack Obama, January 25, 2011.

## Calendar of Events

- **Monday, January 23, 4:00 p.m., MTI**  
MTI Constitution Committee
- **Wednesday, January 25, 4:15 p.m., MTI**  
USO-MTI Board of Directors
- **Tuesday, January 31, 4:15 p.m., MTI**  
MTI Member Engagement Committee
- **Wednesday, February 1, 5:00 p.m., SCFL**  
Protect Your Wisconsin Retirement System
- **Tuesday, February 7, 4:15 p.m., MTI**  
MTI Special Education Sub-Committee
- **Wednesday, February 8, 4:30 p.m., MTI**  
SEE-MTI Board of Directors

## 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)