



Reporter

January, 2007

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Bargaining Update

Although we continue to make progress in negotiations, the pace of that progress is agonizingly slow.

Several factors are responsible for the slow pace. The Board's decision to hire an attorney to represent them is the main one. This has resulted in using a traditional bargaining model rather than a collaborative model. By definition, school board attorneys do not believe in collaborative bargaining which is a discussion based model. When we bargained in 2000 and 2003, the model we used was called interest-based collaborative bargaining. The interest-based process calls for the goals and concerns of each party in any area of the contract to be openly stated. Structured dialogue follows with team members exchanging ideas designed to achieve the stated goals. An example of how the process works is our maternity and child care leave language. The ROEA's interest was in obtaining long term leave for child care while retaining a teacher's current position. The Administration's interest was the predictability of when a teacher would return to employment. After much dialogue and mutual understanding of the respective interests of each party, language was crafted that met the needs of teachers and administrators exceedingly well.

By contrast the traditional model insisted upon by the attorney is short on dialogue and long on caucuses in which one party meets privately to formulate a response to the other party's latest written proposal. Attorneys have no interest in collaborative bargaining because that process creates stronger ties between the administration and the union which tend to highlight common interests. The barriers that traditionally divide us erode. This leads to more empathy for the needs of the other party. However, an atmosphere of empathy and goodwill is not the goal of an anti-labor administrative attorney. Maintaining strong barriers that separate the parties allows our administrators to have a higher comfort level in denying us basic rights and a fair financial package. Recently, for example, several teachers have been callously and unfairly denied sick leave to take care of ill family members. The lack of empathy necessary to treat us in this fashion emanates in part from the Board's decision to hire an attorney, magnifying our differences



Teachers wore their red shirts to a Board meeting.

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rather than building upon our commonalities.

Here is a rendition of our last bargaining session which was on January 9th and is typical of attorney influenced bargaining. We presented three proposals, two of which have been passed back and forth and continually modified by each side over the last few months. (Administration has only allowed about 1-2 brief sessions per month as they are unwilling to bargain during the workday.) We discussed our proposals for 15-20 minutes and answered questions. The attorney then asked for time in which they could privately discuss the proposals and respond to us. After an hour and a quarter, the administrators returned to the room. They accepted a four-word change in one proposal which resolved that particular issue. On our second proposal, they changed wording which would have created a stronger teacher presence on a committee that has to do with student achievement and educational programs (You wouldn't want teachers too involved with educational planning and student achievement would you?) After discussing this topic for a while, we actually and somewhat atypically came up with a few on the spot modifications of the proposed language based on the discussion. We didn't finalize this issue but we came closer to finalizing it and we will continue to address this issue at our next bargaining session. On the third proposal, there was no response whatsoever from the Administration which generally means that at the next session we will receive a response entirely opposite of what we want to achieve because... well, that's what lawyers and administrators who opt to not work collaboratively with teachers do. The Board hired an attorney to represent an anti-teacher philosophy that was already in place and only awaiting the instrument of its implementation.

The primary impediment to successful bargaining is the philosophy of the Board and Administration which led to hiring an attorney and the refusal of the Board and Administration to allow adequate time for bargaining. The stated reason for not bargaining during the workday is that the members of the bargaining team are too valuable in the classroom to be allowed

time to bargain. The reality is that if we were to be given time during the workday to bargain, that would elevate the status of the union to that of an organization that is an integral part of the district. Sadly, this is a condition of great discomfort to our administrators whose connection to students and their educational needs is based wholly upon our work with students. The attorney, of course, is even more removed from the rigors and reality of students and their educational, social, and life needs

The other factor which slows down bargaining - but in a positive way - is the commitment of our bargaining team to better benefits, wages, and rights for our counselors, occupational therapists, physical therapists, speech pathologists, social workers, and teachers. As professionals we have every right to demand a status which reflects the great and meaningful work that we do for our students, community, and nation. Our Board has every reason to pay us commensurate with our abilities and their means. The Board has amassed \$14 million in an equity fund (about the third highest in the county as a percentage of revenue) that sits in a bank account drawing interest, but does not support teachers or students. And the district owns several properties which are worth millions of dollars in future sales. That money should be used to meet our reasonable salary demands and to enhance student programs. However, for reasons that I cannot fathom but can only speculate have to do with the corrupting influence of power, the Board insists that we make concessions. If our board members were more thoughtful advocates of public education they would declare that since education in its entirety is about teachers and students, they will gladly use their extra funds to meet the needs of both.

That's the heart of the matter - the Board's aggressive anti-teacher approach embodied by their attorney, an administrative team which is clearly confused at the bargaining table about its responsibilities, and our refusal to allow ourselves and our students to be victimized by a School Board and Administration who have lost sight of the main purpose of school.

Making an ImPACT!

To date our PAC (Political Action Committee) contribution for the 06-07 school year is \$8,123. That represents 61% of our ROEA members. **Thank you** to those members who have contributed, and congratulations to the staffs at Starr, Whittier and Upton Schools. **All** of their teachers made a PAC contribution!

Every year, we strive for 100% participation from our membership. Districts that surround Royal Oak tend to have more contributions. Clearly, we need to increase our numbers. Why should we all make PAC contributions? Because now more than ever, **every** decision that affects public education is made by a political leader. That includes our health benefits, pensions, class size, bargaining rights, and professional development. Those are issues that are important to all of us. Our PAC dollars support legislators who support us. It is important to know that 40% of our contributions are used at a local level: Royal Oak bond, millage, and school board elections. We all

know our recent local elections were crucial. If your decision to not participate in PAC is based upon the political party or religious values of a legislator, you need to separate that from your decision. Our PAC monies go only to candidates, lobbyists and legislators who support public education.

At our PAC meetings in Lansing we learned that the number one reason that members do not contribute is because they were never asked. Consider yourself asked. It is never too late to make a contribution. Your building AR or I will gladly deliver you a PAC form or envelope. All of us, whether we are new teachers, seasoned teachers or retiring teachers, need to do our part. The recommended amount is \$40.00 and the minimum amount is \$5.00. Please give what you can. The percentage of teachers who contribute is more important than the total amount of money because that sends a message of solidarity and support. The next time you are at the doctor's office or pharmacy, and are paying a

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low fee with your health care benefits, you can thank our PAC contributors who support the politicians who support public education. Our PAC contributions do make a difference!



Sean Morgan, first year high school math teacher, won a gift card from the PAC drawing at the mid year party. Betty Ann Garlak organized the prizes and Vince Caruso drew the names.

Congratulations to the winners of the PAC Drawing at the mid-year party -

Janet Norling - Churchill	Donna Moceri - Keller
Minda Tilchin - Lincoln	Ann Williams - Keller
Jennifer Jump - Longfellow	Perry Cicchini - ROHS
Kendra Bath - Northwood	Ray McMann - ROHS
Rob Landry - Oakland	Rob Dietiker - ROHS
Sandy Kanniainen - Oak Ridge	Donna Brewer - ROHS
Nancy Youngerman - Starr	
Suzanne Potter - Twain	New Teacher Drawing -
Elaine Kaufman - Whittier	
Donna Bienkowski - Upton	Emily Clark - Starr and Upton
Diane Luscombe - Addams	Sean Morgan - ROHS
Barb Snyder - Addams	Ann Gee—ROHS

Betty Ann Garlak
PAC Chairperson
Starr School

In Memory**Kitty Stone**

ROEA teacher Kathleen Stone passed away on November 29th, 2006 after a long battle with ovarian cancer. Kitty taught English and life management skills.

Kitty was the central figure in a very important grievance in 2002 which helped to secure the right to new teaching opportunities for our members. Kitty had been placed in two buildings. She was teaching English at Dondero High School and life management at Addams Middle School. Previously, she had taught full time at Dondero and she requested a full time placement at Dondero once again. As a result of a resignation a full time position became available in the Dondero English department. However, rather than allow Kitty and other English teachers the opportunity to bid for a full time English position, the district posted a position consisting of teaching four English classes and one art class. This specific tailoring of the position served to at once deny Kitty and other English teachers an opportunity while creating a position that could only be filled by one other teacher who was certified in both English and art and who had lower seniority than Kitty. Kitty and the ROEA believed that the job description was gerrymandered to unfairly advantage one teacher at the expense of Kitty and everyone else who was certified to teach English. The ROEA filed a grievance with Kitty as the grievant alleging that the job posting was designed to bypass seniority considerations for Kitty and other qualified English teachers who did not happen to be certified in art and as such violated the intent of the contract to provide realistic opportunities for teachers to obtain new positions.

By the time the grievance advanced to arbitration the following school year, Kitty had obtained a full time position at Dondero which was her personal goal. It would have been easy for

her to decline to go through an arbitration case. However, she felt that it was important to persevere so that other ROEA members would not find their rights to new positions similarly thwarted. We won the arbitration case. The arbitrator ruled that even though the administration had the managerial right to determine job descriptions, they were legally bound to exercise that right in a "reasonable manner" which they did not do in this instance. The term "reasonably" was written into the contract during subsequent bargaining, assuring stronger contractual constraints on administrative unfairness as the superintendent became obligated to **reasonably determine** qualifications for new positions as opposed to the arbitrariness of the determination in Kitty's case.



Kitty Stone

As so often happens, people who fight to establish rights do not directly benefit from those rights; others do. Kitty knew that and it inspired her to go through the rigors of arbitration in order for fellow teachers to enjoy more fairness in their professional work lives. Kitty's personal contribution to our welfare is embodied in our contract.



New teachers learned about the ROEA at a dinner in their honor.



Jim Boreland and Damon Wilson talked with new teachers about planning for their financial future.



Marcia Rauschendorfer presented 50-50 raffle prize money to Kim Gogola at the mid year party. Proceeds go to the Family Scholarship.



Judy Dropiewski, Jolie Booser, Tracy Crawley, Renee McConahy, Hazel McNulty and Mary Beth Morrison send a message with their red shirts.

New Classified Ad

For Sale...
Year-round mobile home on Lake Huron in private co-op park in Lexington, Michigan with expando and Michigan room 14 feet by 70 feet, with 3 bedrooms and 2 full baths. \$93,500
Contact Betty Ann Garlak at 248-546-4104