
Educators Speaking Out: Crucial and Timely

For the past few weeks, we have urged you to send a message to your state senator and Assembly representative: **Support** meaningful reform for MPS, not a divisive mayoral takeover. The December 4 "Take A Stand" flyer detailed how to call to your legislators.

Thank You!

If you have taken the time to call your legislators, we would like to express our appreciation. State lawmakers listen when they hear from their constituents, especially **personal** messages.

It's Not Too Late...

If you haven't called, please act now. There's every indication that state lawmakers will act on MPS reform legislation in early January.

January 5 Hearing

You will also have an opportunity to speak on this issue at a hearing of the state Senate's Education Committee. The enclosed flyer provides the details.

Now Is the Time

Your individual messages are very powerful. If you can, please go to the January committee hearing **and** call your legislators. Make sure your voice is heard.

Your Paychecks: Planning Ahead

This year's winter break will affect the number of days paid. The **January 8** paycheck will cover **7 days**. The **January 22** check will cover up to **5 days**.

Insurance Coverage for Adult Children: State Law Changes May Affect You

In mid-November, MPS sent all employees and retirees information on changes in state law that take effect on January 1, 2010. If you have an adult (age 19-26) child covered by your MPS group health and/or dental insurance plan, one of the changes **may** impact you.

If your adult child's situation fits criteria set by the IRS, you will pay deducted taxes on the "fair market value" of the coverage.

The law also changes the MBSD/MTEA contract provision which sets the eligibility criteria for covering adult children.

Submit Your Certification Form to MPS ASAP

MPS will treat insurance coverage for your adult child as taxable income and start deductions in January - unless you file the MPS "Adult Child Certification Form." MPS needs this form to determine if you are exempt from paying taxes on your child's coverage.

We recommend that you:

- ◆ Use the revised "(12/09 update)" form available on the MPS Web site.
- ◆ Bring it to the MPS central office (Room 124) and have a copy time-stamped for your records.

Clarification on Deadlines

There has been some confusion on the absolute deadline for employees to submit their paperwork. If you have an adult (age 19 - 26) child, there are different deadline dates depending on what you decide to do.

- ◆ To switch health plans, the deadline was **December 18**.
- ◆ If your child is a dependent (per IRS rules), submit the MPS "Adult Child Certification Form" **as soon as your can**. MPS has not set a deadline, but will withhold taxes - until you submit the form.
- ◆ To **add** an adult child to your plan, the deadline is **January 31, 2010**.
- ◆ To **drop** an adult child from your plan, there is **no** deadline. (It will however take time for MPS to process the change.)

If You Need Assistance

If you haven't submitted your form and the MPS materials do not answer your questions, you should bring your paperwork to Room 124 of MPS central office at 5225 West Vliet Street. An MPS staff member will assist you in completing the certification form before you submit it.

(The MPS central office will be closed on Thursday and Friday during winter break - December 24 & 25, and December 31 & January 1.)

Know Your Contract - Evaluation Rights

The MTEA/MBSD Substitute Teacher Contract provides for evaluation due process rights.

If an administrator/evaluator (usually the principal) is considering an unsatisfactory evaluation, the principal must notify you in writing within seven workdays after your last day of service in the school, with a copy to the MTEA. The letter must inform you of your right to arrange a conference to discuss the intended evaluation within five workdays of notification, and your right to representation by the MTEA staff, legal counsel, or any other person of your choice.

The conference must be scheduled at a mutually convenient time within five workdays of your request. The purpose of the conference is to attempt to resolve the evaluation before it is written.

If you receive a letter pertaining to an evaluation of your performance, you should call an MTEA staff member at 259-1990 as soon as possible. The staff will provide you with advice and representation.

If you do not arrange a conference or if the evaluation is not resolved through a conference, the principal may write an evaluation on a substitute evaluation card and forward it to the MPS Department of Human Resources, with a copy to you and to the MTEA Building.

When the Human Resources Department receives a copy of an unsatisfactory evaluation, the Department or the substitute teacher may, within ten workdays, request a conference to discuss the evaluation. At the conference, you have the right to representation by the MTEA staff, legal counsel, or any other person of your choice.

What's a Teacher Vacancy?

Under the teacher contract, a vacancy is created when a teacher:

- ◆ Retires or resigns.
- ◆ Receives a **formal** leave of absence.
- ◆ Requests an incompatibility transfer from a school.
- ◆ Is absent more than 60 days during a semester.

Vacancies also occur when a new position is added to a school or when a vacancy at a semester's end remains vacant the next semester.

Some Apparent Vacancies, Are Not

While a retirement or resignation clearly creates a teacher vacancy, other situations are complicated. For example, a teacher medically unable to work due to pregnancy/childbirth may be absent up to 12 consecutive weeks without losing her assignment.

There are several ways for teachers to keep their assignments through the teacher contract and the Family Medical Leave Act (FMLA). A long-term absence does not necessarily create a teacher vacancy.

Assigned to a Teacher Vacancy?

While there may be a question as to whether you are in a teacher vacancy or not, the following is important information and advice.

The substitute teacher contract provides teacher pay and benefits (except pension) to those assigned to a teacher vacancy. **If you are assigned to a vacancy and do not already have MPS group health and dental insurance coverage, you should apply ASAP.** You will **not** receive these benefits unless you apply for them.

MPS should notify eligible substitutes in teacher vacancies of their right to these negotiated, Board-paid insurance benefits, in a timely manner. However, we recommend you call to request an insurance application as soon as you are in a vacancy.

Call MPS Human Resources at 475-8224 to explain your situation. You may also go to Room 124 at the MPS central office.

You **may** be told that you are not in a teacher vacancy. This may be the case because of complicated situations such as the example above.

If you experience a problem, please contact Linda Gaston-Mounger of the MTEA staff at gastonmoungerl@mtea.weac.org or 259-1990.

Thanksgiving Holiday Pay

The holiday pay provision of the MTEA/MBSD Substitute Teacher Contract states: "Where regular substitute teachers are serving in a teaching assignment the last school day prior to a holiday and in an assignment the first school day following the holiday, they shall be paid for the holiday." Thanksgiving Day is a paid holiday.

You should have received pay for Thanksgiving Day if you are a regular substitute teacher and worked in a teaching assignment on Wednesday, November 25, and again on Monday, November 30 (**whether it was the same assignment or not**). Pay for Thanksgiving Day should have been included on your December 11 paycheck.