

Layoffs: Preventing Last Year's Chaos

Sending layoff notices to nearly 500 teachers last spring was an unwarranted disaster. It caused unprecedented and unnecessary disruption for educators who should **not** have been identified for layoff - *and for their schools.*

Since Dr. Thornton became superintendent, representatives of our union and his administration have worked together closely on layoff/recall concerns. During the summer, weekly meetings were held on recalling hundreds of teachers who were unnecessarily laid off. Regular meetings have continued throughout this school year to jointly consider additional recalls and initial preparations for staffing schools for 2011-12.

Layoffs Not Discussed

To date, layoff specifics have **not** been discussed. However, the MPS administration advised the school board in December of its initial 2011-12 budget projections. At that time, the district anticipated a layoff of 337 full-time positions, with a majority expected to be teacher positions.

We expect that the administration will work with us to minimize any negative impact of layoffs that may become necessary due to district budget cuts for 2011-12.

Being Excessed Does Not Mean Laid Off

If you are excessed, it is likely that you will not be assigned to the same school next year, but it does **not** mean you'll be laid off. The steps for layoffs are completely separate and different from excessing. (See article on back.)

UHC Will Administer the PPO Plan Starting April 1

The district has notified our union that UnitedHealthcare (UHC) will take over the processing of claims and other administrative responsibilities for the PPO plan on April 1, 2011. Aetna has administered the negotiated plan since 2001.

Same Bus, Different Driver

The October 25, 2010 Negotiations News presented this analogy to explain that members will have the same PPO plan with a different insurance company administering it.

Imagine the MPS PPO plan as a school bus, custom-made and modified periodically for better fuel efficiency and passenger safety. Any changes are made jointly, through contract bargaining between our union and the district.

Currently, the PPO school bus is **not** a standard Aetna model. It will **not** become a standard UnitedHealthcare model on April 1.

The PPO will remain the same school bus, but with a new driver.

Anticipating a Few Differences

There will be differences in administering the PPO plan. The UHC "driver" will operate differently from the Aetna driver we've had for over a decade. No two companies process insurance claims exactly the same.

There will also be a few changes in the PPO plan itself, which were negotiated to commence when UHC starts administering the plan. For example, a new three-tier prescription drug program begins on April 1.

Details on the change to UHC administration will be explained in our union's print and electronic communications during February and March.

Employee Contributions Start August 1

Starting August 1, 2011, teachers in either the MPS PPO or HMO plan will contribute 1% of their base earnings for single coverage or 2% for family. Deductions will be made only on regular salary earnings - **not** on summer work, inservices, lunch duty, and other extra earnings.

Excessing: Timeline and Key Points

No later than Friday, February 25, principals must notify teachers they have identified for excessing at the end of the school year. The contract provisions for determining who is excessed and the rights of excessed teachers are explained below.

Excessing by Inverse Seniority Except...

The teacher with the least systemwide seniority is excessed unless a more senior teacher volunteers or a departmental need warrants an exception.

Please continue on back...



Contract Steps Prior to a Layoff

If MPS determines that a layoff is necessary, the contract requires MPS to first attempt to minimize the number of layoffs by soliciting volunteers within the certification areas affected and by granting unpaid leaves for any reason.

MPS must then prepare a list of the least senior teachers in the areas identified for layoff and provide it to the MTEA five days prior to sending layoff notices. The written notice to those affected must be sent at least 30 days prior to the layoff.

Expand Your Areas of DPI Certification Now

We recommend expanding your areas of DPI licensure to maximize your seniority rights *in the event of a layoff*.

The contract provides that you must hold a full DPI certification/license on **May 15** to exercise seniority rights within that area.

To exercise seniority rights in an area for which you do **not** hold a full license on May 15, there are two deadlines - **if** you have a temporary license or permit, if your license has expired, or if you are eligible for an additional license.

First, by **July 1, 2011**, you must present MPS with written verification from your certifying institution or from DPI that you can obtain a full DPI license by organization day of the 2010-11 school year.

Second, if you meet the July 1 verification deadline, you must obtain the license before next school year.

Continued from front...

Principals must ask for qualified volunteers before excessing by seniority.

Departmental Need Explained - An exception to excessing by inverse seniority is made when necessary to keep a teacher who is licensed to teach the classes offered at a school.

For example, suppose a school is losing one teacher and the least senior teacher is the only one licensed to teach the school's MRP class. If the least senior teacher were excessed, there would be no teacher licensed for the class. This departmental need requires the school to retain the least senior teacher, and excess the next least senior teacher.

Resolve Excessing Questions Now

The excessing reports principals submit may change in the months ahead. For example, excessing may not be necessary due to a teacher retiring, resigning, taking a leave, or transferring to another school. A lot can change between now and the end of the school year, and when actual student enrollment counts are taken in late September.

Excessing is an "on paper" projection for next school year. However, it's important that teachers are correctly identified now so they are aware of the need to use the interview process to obtain a position at another school for 2011-12.

Ask Your BR for Assistance

For questions on excessing, your school's BR should contact Don Ernest of the MTEA staff at ernestd@mtea.weac.org or 259-1990. Don will assist in making certain the contract excessing provisions are followed.

Contractual Rights of Excessed Teachers

If you are excessed from your school, you have the right to:

◆ **Return to your school** if a position you are licensed to teach becomes available at any time through the third Friday of September. To exercise your return right, you must submit a "Return Request for Excessed Teachers FY 12" form, downloadable from the MPS Portal.

You must sign and deliver your form to the MPS Office of Human Resources in Room 124 of the MPS central office by **June 17**.

If a vacancy becomes available at your school, you will return to it - even if you have a new assignment through interviewing or seniority.

◆ **Obtain a position at another school through the interview process.** Schools will conduct informational meetings after school on March 14-18 and 21-25. There will be three interview cycles this spring: **1)** March 28 - April 6; **2)** April 26 - May 6, and **3)** May 16 - 27.

◆ **Obtain a position of your preference by seniority** (if you don't obtain a position through the interview process). Vacancies not filled by interviews will be posted in mid-June. You should submit your assignment preferences by **June 17**. During the summer, teachers without an assignment for 2011-12 (excessed, returning from leave, or day-to-day) will receive assignments based on their certification, seniority and preferences.

◆ **Retain voluntary transfer rights.** If you are excessed and obtain a school assignment through interviewing (or by seniority), you do **not** have to wait three years to obtain a **voluntary** transfer.