

Haverhill Education Association News

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Lisa Begley, President – Ted Kempinski, 1st Vice President – Anthony J. Parolisi, 2nd Vice President

Jeff Blaustein, Secretary – Jill Perkins-Bouchard, Treasurer

Lois Silva, ESP Rep. – Patti MacRae, Secretarial Rep. – Linda Kiefer, Office Secretary

Amendments to Bylaws Proposed – Vote to be Held October 20th

Submitted September 16, 2016, by Lisa Begley

Date of Vote: October 20th, 2016, 4:00 pm

Type of Meeting: Board of Directors (Faculty Representatives/Executive Committee)

Eligible Voters: HEA Representatives and Executive Committee Members

Building Representatives shall meet with and poll members for their directive on how to vote on the 10 proposed changes. Each will be voted on separately.

Proposed new language is **bold, italic and underlined**. Present language is ~~strike through~~.

Change #1

Article III, Section 1. Membership

a. Active Members are those:

- (1) Who are engaged in work of a professional nature in the field of education; ~~and who, as new applicants for membership after August 31, 1965, hold a baccalaureate degree or higher and a certificate of eligibility to same from a proper certifying authority, and otherwise meet the qualifications of the Haverhill Public Schools (HPS) as employees and~~ where required ~~or~~ are qualified and approved as teachers by the Division of Occupational Education in the Massachusetts Department of Education; **Department of Elementary and Secondary Education**; or
- (2) ~~other employees of school committee who hold membership in the local association if such membership is available to them.~~ **Educational Support Personnel and secretaries employed by HPS.**

PROPOSED RESULT SUMMARY – The proposed change updates item (1) with current licensing authority (DESE) and item (2) to clarify membership of ESPs and Secretarial units.

BUDGETARY EFFECT – None

RATIONALE – The proposed changes simplify the language to reflect current qualifications for licensure and employment as the qualifications for membership.

Change #2

Article III, Section 4. Dues

a. Annual dues of an active teacher member shall be set by the Board of Directors at the ~~March Faculty Representative Meeting~~ **same time the annual budget is approved in accordance with Article VI, Section 2d(16).**

PROPOSED RESULT SUMMARY – The proposed change allows the Board of Directors to set dues for the following year in any month once the annual budget has been approved.

BUDGETARY EFFECT – None

RATIONALE – The proposed change allows the Board of Directors (faculty representatives) to set the annual dues in any month in the event that a quorum is not present at the March meeting to approve the annual budget submitted by the Treasurer in February.

Change #3

Article III, Section 4. Dues

- e. In the first year of eligibility, active members whose employment starts after November 14 shall be assessed ¾ dues, after February 1 at ½ dues, and after April 14 at ¼ dues. **These dates refer to local (HEA) dues only.**
- i. Failure to complete payment in accordance with this schedule may result in interest charges being assessed on the overdue unpaid balance. The rate of interest charged shall be equal to the rate earned in a passbook account at ~~Banknorth~~ **a bank utilized by the HEA** during the quarter immediately preceding assessment. **The choice of bank will be available to all members at the first meeting of the Board of Directors each year**

Article III, Section 7. Membership Year

a. The membership year for the ~~H.E.A.~~ **HEA** shall be from July 1 to June ~~31~~ **30**. A member joining the Association may elect to be a continuing member. Membership shall ~~them~~ **then** be continued from year to year until death, retirement, or the member cancels the election in writing. Membership lists will be updated by December 31 of each year.

PROPOSED RESULT SUMMARY – The proposed change makes clear that the Board of Directors can only prorate the local (HEA) portion of dues and allows the HEA to use any bank approved by the Board of Directors in addition to correcting two typographical errors.

BUDGETARY EFFECT – None

RATIONALE – The MTA and NEA dues are not set by the HEA and therefore cannot be prorated by its Board of Directors. The proposed change will also allow the Treasurer, with the approval of the Board of Directors, to move HEA funds to whichever bank he/she identifies to offer the greatest value and return on any investments made.

Change #4

Article VI, Section 2. Powers and Duties of Officers

a. President:

- (5) He/she shall be present in the Association office **or a school within the district other than his/her own school** a minimum of ~~two~~ **four** hours each week during the school year. This time does not include scheduled meetings of the Board of Directors or the Executive Committee.
- (7) **He/she will attend all meetings of the Executive Committee and board of Directors.**

(8) He/she will approve/monitor any unfair labor violations claims filed by the MTA on behalf of the HEA.

(9) He/she will attend any Department of Labor Relations (DLR) board meetings necessary to represent the HEA. If during the school year, the HEA will pay him/her a stipend equal to one day's pay according to the salary schedule in effect at that time for each day he/she is not paid by the Haverhill Public Schools in accordance with the collective bargaining agreement.

b. First Vice President

(1) The first vice-president shall perform the functions usually attributed to the office. This includes but is not limited to researching, drafting, and the filing of grievances.

(4) The first vice president shall be present in the association office or a school within the district other than his/her own school a minimum of ~~two~~ four hours each week during the school year. This time does not include scheduled meetings of the Board of Directors or the Executive Committee.

(6) He/she shall maintain grievance and personnel action files.

(7) He/she will attend all meetings of the Executive Committee and Board of Directors.

(8) He/she will attend School Committee meetings in place of the president when requested, not to exceed four times per year.

(9) If during the school year he/she is required to attend a DLR meeting to represent the HEA, the HEA will pay him/her a stipend equal to one day's pay according to the salary schedule in effect at that time for each day he/she is not paid by the Haverhill Public Schools in accordance with the collective bargaining agreement.

c. Second Vice President

(1) The second vice-president shall perform the functions usually attributed to that office. Among said functions, he/she shall be responsible for the production of the H.E.A. HEA Newsletter and website as well as other communications vital to the proper conduct of the Association.

(2) The second vice-president shall be present in the Association office or conducting association business a minimum of ~~two~~ four hours each week during the school year. This time does not include scheduled meetings of the Board of Directors or the Executive Committee.

(7) He/she will attend all meetings of the Executive Committee and Board of Directors

(8) He/she will attend School Committee meetings in place of the president when requested, not to exceed four times per year.

(9) If during the school year he/she is required to attend a DLR meeting to represent the HEA, the HEA will pay him/her a stipend equal to one day's pay according to the salary schedule in effect at that time for each day he/she is not paid by the Haverhill Public Schools in accordance with the collective bargaining agreement.

d. Treasurer

(6) All disbursements over ~~\$600~~ \$1750 shall be counter-signed by the president of the local association.

(10) He/she shall be bonded. (This is completed by the MTA)

(14) He/she shall be present in the association office or conducting association business a minimum of ~~two~~ four hours each week during the school year. This time does not include scheduled meetings of the Board of Directors or Executive Committee.

e. Secretary

(3) He/she shall be present in the association office or conducting association business a minimum of ~~two~~ four hours each week during the school year. This does not include scheduled meetings of the Board of Directors or Executive Committee.

(4) He/she shall be responsible for providing notice of, scheduling, monitoring, and initiating procedures for all unit elections.

PROPOSED RESULT SUMMARY – The proposed change reflects the current duties and responsibilities of the association officers as they currently exist.

BUDGETARY EFFECT – Variable depending on the number of unfair labor practices that the HEA puts before the DLR, whether or not the president or vice presidents attend those meetings during the school year, and whether or not the Haverhill Public Schools pays their salaries for the day(s) missed to attend such meetings.

RATIONALE – Over time, the duties and responsibilities of the HEA officers has evolved. The proposed changes reflect the current delegation of these duties and responsibilities so that future officers will better understand what is expected of them while in office. This will also ensure that if an officer is required to miss a day of work without pay to represent a member of the association at a DLR meeting he/she will be compensated fairly for his/her time. The HEA's rent is currently \$1750. The change in language regarding a countersignature for payment of bills will allow the Treasurer to pay the rent without requiring the president's signature.

Change #5

Article VI, Section 3. Powers and Duties of Unit Representatives

a. ~~He/she shall attend all meetings of the Executive Committee.~~

b. ~~He/she shall attend all meetings of the Board of Directors.~~

c. ~~He/she shall meet monthly with the Superintendent of Schools.~~

d. ~~He/she shall chair special meetings called to conduct business specific for the unit he/she represents.~~

e. ~~He/she shall chair the negotiations team for the unit he/she represents.~~

f. ~~The Unit Representative will be available to unit members to answer questions and address unit concerns.~~

g. ~~He/she shall attend all grievance sessions for unit members.~~

h. ~~The Unit Representative shall keep up-to-date files on membership, meetings, voting and other unit business.~~

i. ~~The Unit Representative is responsible for distributing information to unit members about Association activities.~~

a. Secretarial Unit Representative

(1) He/she shall attend all meetings of the Executive Committee.

(2) He/she shall attend all meetings of the Board of Directors

(3) He/she shall have the authority to meet with the superintendent or his/her designee for all matters relating to the secretarial unit.

(4) He/she shall chair special meetings called to conduct business specific to the secretarial unit.

(5) He/she shall chair the negotiations team for the secretarial unit.

(6) He/she shall be available to unit members to answer questions and address concerns via phone, email, or in person.

(7) He/she shall attend all grievance sessions for members within the secretarial unit.

(8) He/she shall keep up-to-date files on membership, special meetings, voting, and other unit business.

(9) He/she is responsible for distributing information to unit members about association activities, including brief ten-minute meetings when applicable.

(10) If during the school year he/she is required to attend a DLR meeting to represent the HEA, the HEA will pay him/her a stipend equal to one day's pay according to the salary schedule in effect at that time for each day he/she is not paid by the Haverhill Public Schools in accordance with the collective bargaining agreement.

b. ESP Unit Representative

(1) He/she shall attend all meetings of the Executive Committee.

- (2) He/she shall attend all meetings of the Board of Directors
- (3) He/she shall have the authority to meet with the superintendent or his/her designee for all matters relating to the ESP unit.
- (4) He/she shall chair special meetings called to conduct business specific to the ESP unit.
- (5) He/she shall chair the negotiations team for the ESP unit.
- (6) He/she shall be available to unit members to answer questions and address concerns via phone, email, or in person.
- (7) He/she shall attend all grievance sessions for members within the ESP unit.
- (8) He/she shall keep up-to-date files on membership, special meetings, voting, and other unit business.
- (9) He/she is responsible for distributing information to unit members about association activities, including brief ten-minute meetings when applicable.

PROPOSED RESULT SUMMARY – The proposed change reflects the current duties and responsibilities of the association officers as they currently exist and separates the powers and duties of the Secretarial and ESP units into their own subsections.

BUDGETARY EFFECT – Variable depending on the number of unfair labor practices that the HEA puts before the DLR, whether or not the secretarial unit representative attends those meetings during the school year, and whether or not the Haverhill Public Schools pays his/her salary for the day(s) missed to attend such meetings.

RATIONALE – Over time, the duties and responsibilities of the secretarial and ESP unit representatives has evolved. The proposed changes reflect the current delegation of these duties and responsibilities so that future representatives will better understand what is expected of them while in office. This will also ensure that if the secretarial unit representative is required to miss a day of work without pay to represent a member of his/her unit at a DLR meeting he/she will be compensated fairly for his/her time.

Change #6

Article VI, Section 5. Elections

Elections for Executive Committee shall be held in the month of April. Nominations are to be set up by a committee made up of the membership. The nomination period shall be open for two weeks prior to being voted upon by the membership.

- a. Newly elected members of the Executive Committee shall work with the appropriate outgoing officer(s) during the transition period.

- (3) A stipend of \$300 will be paid to the incoming officers upon completion of a minimum of 10 hours of training with the outgoing officer in the position to which they were elected. A stipend of \$150 will be paid to incoming officers upon completion of a minimum of 5 hours of training with the outgoing officer in the position to which they were elected. A stipend of \$50 will be paid to the incoming officers who complete fewer than 5 hours of training with the outgoing officer in the position to which they were elected.

PROPOSED RESULT SUMMARY – The proposed change will compensate newly elected officers for the time spent working with the outgoing officer to learn the duties and responsibilities of the position to which they were elected.

BUDGETARY EFFECT – Variable depending on election results and the amount of time newly elected officers spend working with the outgoing officer in the position to which they were elected.

RATIONALE – Each person elected to the Executive Committee must spend some time working with the outgoing officer to learn the duties and responsibilities of the position, though each position is different and some positions will require more or less training than others. The proposed change will fairly compensate newly elected officers based on the amount of time they spend training for their new position.

Change #7

Article VII, Faculty Representatives

Section 1. Appointment

Faculty representatives are appointed by the Executive Committee in consultation with their respective school staff members, if possible, before the second Friday of September of the current year. Their service, after appointment, starts the second Friday of September and ends one year later. A faculty representative should be appointed for each ~~ten to fifteen~~ to twenty-five Association members. There should be at least one representative from each building.

Section 2. Duties

- e. Active faculty representatives ~~attending who attend regular monthly~~ all ten scheduled meetings of the Board of Directors ~~will receive an expense voucher not to exceed 25% of yearly combined teacher dues.~~ and provide documentation that ten-minute meetings were held in their respective buildings each month from September through May will receive an expense voucher not to exceed \$15 per Board of Directors meeting attended. Each qualifying representative will also have his/her meal paid for at the annual Honors Banquet by the HEA (the Executive Committee will provide a standard form for documentation of the ten-minute meetings). Each qualifying representative will also be entitled to have the HEA pay for them to attend one day of the annual MTA Summer Conference provided they agree to attend at least one union-related seminar at the conference. Officers of the Association shall not be eligible for vouchers during their terms of service.
- f. Active faculty representatives who attend eight or nine meetings of the Board of Directors and provide documentation that ten-minute meetings were held in their respective buildings each month from September through May will receive an expense voucher not to exceed \$10 per Board of Directors meeting attended. Each qualifying representative will also have his/her meal paid for at the annual Honors Banquet by the HEA (the Executive Committee will provide a standard form for documentation of the ten-minute meetings). Each qualifying representative will also be entitled to have the HEA pay for them to attend one day of the annual MTA Summer Conference provided they agree to attend one union-related seminar at the conference. Officers of the Association shall not be eligible for vouchers during their terms of service.
- g. Active faculty representatives attending five to seven meetings of the Board of Directors and provide documentation that ten-minute meetings were held in their respective buildings each month from September through May will receive an expense voucher not to exceed \$5 per Board of Directors meeting attended. Each qualifying representative will also have his/her meal paid for at the annual Honors Banquet by the HEA (the Executive Committee will provide a standard form for documentation of the ten-minute meetings). Officers of the Association shall not be eligible for vouchers during their terms of service.

PROPOSED RESULT SUMMARY – The proposed change will change the formula used in calculating expense vouchers for active faculty representatives and provides opportunities for qualifying representatives to attend the MTA Summer conference and become more active members of the MTA. It also reflects the current practice of providing for active representatives to attend the annual Honors Banquet at the expense of the HEA.

BUDGETARY EFFECT – Variable depending on the number of active representatives who attend all ten, eight, or five Board of Directors meetings and how many qualifying representatives choose to attend the MTA Summer Conference and/or the annual Honors Banquet. The potential increase in spending is offset by reducing slightly the maximum number of representatives who may be appointed for each building.

RATIONALE – Currently, no building entitled to more than one representative under the current language has the maximum number of representatives and several buildings still have no representative at all. The proposed change is intended to encourage more members to become more active in our local and state associations by rewarding them for regular attendance at Board of Directors meetings and regular communication between the Board of Directors and the members in their buildings.

Change #8

Article VIII. Meetings.

Section 2. Board of Directors

The Board of Directors shall meet monthly during the school year starting in ~~October~~ **September**.

Section 5. Quorum

- a. The majority of the **identified** members shall be a quorum for the Board of Directors **(faculty representatives and the Executive Committee)** and committees.
- b. A quorum for general membership meetings shall be {10%} of the ~~new~~ **registered** members.

PROPOSED RESULT SUMMARY – The proposed change will require monthly Board of Directors meetings to start in September rather than October and clarifies the definition of a quorum for said meetings as well as the meetings of other established committees.

BUDGETARY EFFECT – None

RATIONALE – The proposed changes are intended to eliminate confusion so that association business can be conducted more efficiently.

Change #9

Article IX. Committees

Section 4. Titles and Duties.

- a. The Negotiating Team

(4) Negotiation Team members who regularly attend team meetings and negotiation sessions shall be paid a stipend of up to \$250 at the discretion of the president of the association. Officers of the Association shall not be eligible for this stipend during their terms of service.

- f. The Nominations and Elections Committee

(1) The committee shall consist of at least one teacher representative from the elementary schools, one from the ~~junior high~~ **middle** schools, and one from the ~~senior~~ high school and one secretarial representative and one educational support personnel representative. No officer may serve on this committee.

Section 6. ~~Vouchers~~ Stipends

Active members of the ~~Negotiations Committee~~ (and special committees designated by the Executive Board) will receive an ~~expense voucher~~ **stipend up to but not to exceed the combined local** teacher dues obligation. Officers of the Association shall not be eligible for ~~vouchers~~ **stipends** during their terms of service.

PROPOSED RESULT SUMMARY – The proposed change will result in a stipend of up to \$250 to be provided to active Negotiation Team members who are not also officers of the Association (as has been done in the past) and reduce the amount of a stipend that members of special committees may be paid to the amount of local teacher dues in effect at the time rather than the total combined dues obligation.

BUDGETARY EFFECT – Variable depending on the amount of the local teacher dues obligation each year, the number of Negotiation Team or special committee members, whether or not Negotiation Team members or special committee members are officers of the association, and whether or not a Negotiation Team or other special committees are formed in a given year.

RATIONALE – The proposed changes are intended to standardize the stipend paid to Negotiation Team members. Reducing the amount that special committee members may be entitled to offsets any possible increase in this compensation. Special committees are not common and do not serve for extended periods of time. The current teachers local dues obligation is \$164 and the current combined teacher dues obligation is \$845.

Change #10

Article X. The Amendment Process

Any article or section of an article may be amended by a two-thirds (2/3) vote of those present and voting at either a general membership meeting or a ~~faculty representative~~ **Board of Directors** meeting providing notice of said change or changes has been provided to the membership at least two weeks prior to the vote. Proposed changes to the Bylaws along with its current wording shall be posted ~~in on~~ the H.E.A. ~~newsletter~~ **website and/or other electronic outlets utilized by the HEA** and made available to all members. **A minimum of one paper copy of the proposed changes will be sent to each building to be posted in conspicuous places such as teachers' rooms and other places where members may convene.** Notices will include date and time vote will be taken and indicate type of meeting and who is eligible to vote on the change.

PROPOSED RESULT SUMMARY – The proposed change will allow the HEA to use its website to inform members of proposed changes to the Bylaws with paper copies to be distributed to each building in the district for their consideration. The paper copies may be, but will no longer be exclusive to, publications of the HEA newsletter.

BUDGETARY EFFECT – Variable depending on the cost of printing newsletters at the time amendments to the Bylaws are submitted. The proposed change will eliminate the need to publish a newsletter for the sole purpose of proposing changes to the Bylaws, resulting in net savings when amendments are proposed.

RATIONALE – The proposed change is intended to modernize the amendment process to improve efficiency and reduce the costs associated with proposed changes.

Building Representatives

<ul style="list-style-type: none"> • Bartlett – Volunteer Needed • Bradford – Dan Cerat & Lindsey Flores • Consentino – Volunteer Needed • Crowell – Volunteer Needed • Golden Hill – Deb Russell • Greenleaf – Volunteer Needed • HHS – Nancy Burke, Sarah Emilio, Andrea Laws, & Deb Tilly • Hunking – Kelly Fairbrother • Moody – Volunteer Needed 	<ul style="list-style-type: none"> • Nettle – Volunteer Needed • Pentucket Lake – Lauren Camire & Jennifer Roberts • St. James – Neil Wilkens • Silver Hill Horace Mann – Lori Caron, Melissa Moreau, & Meghan O’Neil Bedow • Tilton – Nicole Sanchez • Walnut Square – Volunteer Needed • Whittier – Lauren Sanguedolce
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Know Your Contract!

A teacher may only use one personal day *per quarter*, with a maximum of 3, during the school year, even if he/she teaches at the elementary or middle school level, which grades students by trimester. The following are the dates of each quarter for you to consider when requesting personal days. See Article XV, Section 1a, of the teacher contract for more information and other restrictions. Contracts for all units as well as our complete bylaws can be found on our website at haverhill.massteacher.org.

Quarter 1: 08/29/2016 to 11/02/2016 * Quarter 2: 11/03/2016 to 01/19/2017 * Quarter 3: 01/20/2017 to 03/30/2017 * Quarter 4: 03/31/2017 to end