

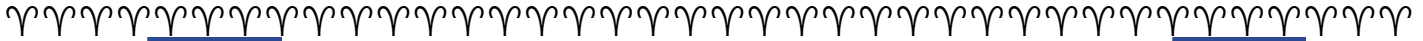
15-B INSIDER

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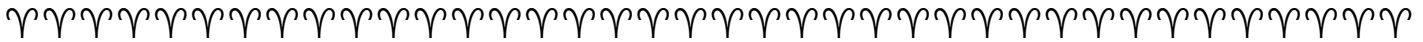


October

MICHIGAN EDUCATION ASSOCIATION



2007



Communicating With Your School Board Members

Many school districts have a Board Policy that covers Board–Staff Communications and from time to time we hear of situations where MEA members feel they have no right to initiate contact with School Board members over issues within their school districts. Please allow me to address this concern.

While it is common knowledge that a collective bargaining agreement may not supersede written law, it is true as well for school board policies. Any Board-Staff Communications Policy may not usurp the law, specifically the Constitution of the United States that guarantees citizens certain rights of free speech and association.

While the courts have carefully defined freedom of speech rights in an employer-employee relationship, they have not removed those rights altogether. Specifically, if an employee wishes to communicate with individual board members over a “**matter of public concern**”, then they certainly have the right to such communication, absent the use of a third party. To deny them that right is a violation of their rights as a citizen of the United States guaranteed them by the Constitution.

So please be assured that when you, as an employee of your school district, speaks to a school board member as a citizen concerning issues **of public concern**, you are acting within your right.



MARK YOUR CALENDAR

October 29	Region 15 Meeting Cadillac Office	7:00 PM
October 30	School Board Election Training	6:00 PM
November 10	Fall Representative Assembly	East Lansing
(Tentative Date) November 19	Grievance/Just Cause Training	6:00 PM
November 19	Coordinating Council Meeting	7:07 PM

BARGAINING UPDATE

Unsettled Contracts 07-08
Manton EA
Mesick EA

SB 549 Common School Calendar Law Questions and Answers:

Q. I have heard that the Intermediate School District (ISD) is going to set the school calendar for my district. What happens to our negotiated school calendar?

SB 549 Common School Calendar Law Questions and Answers: (Continued)

A. The legislation only allows ISDs to set common dates for the winter holiday and spring break. Those dates under your negotiated school calendar cannot change until your current contract expires.

Q. Does this legislation impact our professional development days?

A. It encourages coordination of professional development days, but it does not require common professional development.

Q. My school district is on trimesters, and we are the only ones in the ISD that have trimester scheduling. What if our breaks don't line up with the ISD?

A. The legislation specifically grants exceptions for trimesters and year-round programs. In addition, it allows for a waiver process from the state superintendent of public instruction for other circumstances.

Q. What does the legislation require of my local school district?

A. Your school board must ensure that your local school calendar in future contracts complies with the identified breaks in the ISD calendar.

Questions and Answers Regarding Budget Deal "Reforms" and Insurance

As part of Monday's budget deal, a number of so-called "reforms" were pushed through the Legislature as a way to balance the budget on the backs of school employees. Senate Bill 418 attacks public employees' health insurance without saving the state ANY money.

Here are some question and answers:

Q. Does this legislation void or change my insurance coverage?

A. No. Your insurance is whatever your contract specifies.

Q. Will my insurance change when the contract expires?

A. Only if you're bargaining team agrees to a different coverage or carrier.

Q. Does my school district have to join a self-funded pool?

A. The law provides the ability to join a pool; it does not require your district to join a pool.

Q. What effect will the bidding requirement have on bargaining?

A. The impact will vary depending on the stance your district takes. The law only requires a district to get bids. It does not require the district to attempt to bargain over them. All bargaining rights that existed prior to this legislation still are in place.

Q. Does the legislation require that my medical history be disclosed to my employer?

A. The law requires that claims data be furnished to employers who have 100 or more employees in the same insurance plan. It also requires that data from smaller groups in a pool totaling 100 employees must be released. We find this part of the law very troubling, since it will be impossible to maintain privacy with small groups.

Q. How will this legislation impact MESSA?

A. The biggest concern for MESSA is that the mandated release of group-level claims data will lead to "cherry picking" of younger, healthier groups from MESSA's insurance pools. This will make it much more difficult for a pooling strategy to succeed. MESSA is working on how to address this issue.



USE CAUTION & WATCH FOR THE LITTLE GHOSTS, GOBLINS, ETC.!!

