



**ALL
IN**

UNION
OWNER



**LOCAL ASSOCIATION
PRESIDENTS'**

H A N D B O O K

2024-2025



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UNION
POWER

ALL
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Building Our Union Power

Dear Colleague,

In the months leading up to the U.S. Supreme Court's anti-union decision in the *Janus v. AFSCME* case, the MTA initiated the All In campaign, holding intentional one-to-one member conversations at the local level that were focused on building our membership and our power to beat back attacks against working people.

The All In campaign has been a tremendous success. Our membership has grown, and our 117,000 members see their union activism as vital to their professional respect and their quality of life.

We are demonstrating every day that when we fight, we win!

Over the past several years, MTA members, leaders and staff have broadened the contours of All In with the MTA Blueprint Project, which will help us continue to grow our collective power even more. Five strategic priorities are central:

- **Connecting members to the life of the union.**
- **Cultivating and supporting leadership at all levels.**
- **Maximizing our bargaining power.**
- **Advancing policy solutions and campaigns.**
- **Leading on economic, social and racial justice.**

A good deal of time has passed since the *Janus* decision in 2018 — but it is imperative that we remain vigilant. Anti-union forces will continue attacking public education and working families, and we cannot let up in fighting for our rights, our profession and our communities.

Now and into the future, our voices must prevail. We need our members to continue experiencing the power of collective action and to widely share their ideas and values. **All of us need to remain All In.**

This is where you and your fellow association leaders come in. You are the vital link to the members in your union — and the personal relationships you build as president are at the heart of what makes a local association work and grow. We want to thank you for your dedication, for your energy, and for your time as you serve as an association president.

Find out more about building our union power at massteacher.org/allin.



Comparison of Local, MTA and NEA Membership vs. Non-Membership

Belonging to your local association, the MTA and the NEA empowers you as an educator to play an active role in shaping your career and creating the environment that you want for your students and your colleagues. Here is a comparison of the benefits and opportunities available to members vs. non-members.

We provide service, support and organizing assistance ...	To Members	To Non-Members
Collective Bargaining		
Negotiations. Your local union negotiates contracts that cover all employees in the bargaining unit. Therefore, everyone receives the salary increases, benefits and other rights in the bargaining agreement.	✓	✓
Grievance representation. Your local union represents all members of the bargaining unit when grievances under the contract arise.	✓	✓
Contract enforcement. If the grievance process fails to resolve the dispute, your local union enforces the contract through arbitration and court proceedings.	✓	✓
Legal Services		
Termination and nonrenewal cases. MTA's Division of Legal Services will assist you in understanding and defending your due process rights if you lose your job. Assistance to members includes enforcement of contractual and statutory rights. Assistance to non-members is limited solely to contractual matters.	✓	✗
\$1 million legal liability coverage. The Educators Employment Liability policy protects educators from personal liability if sued by a parent or student. Most schools do not carry such coverage.	✓	✗
Professional licensing disciplinary hearings.	✓	✗
Unemployment compensation hearings and workers' compensation appeal hearings.	✓	✗
Statutory wage and hour complaints.	✓	✗
Employment discrimination claims (age, gender, race, religion, sexual preference, national origin, disability, etc.).	✓	✗
Teacher and ESP retirement consultation and representation. The MTA will represent you in legal disputes with state and local retirement boards. In addition, the MTA offers retirement workshops and individual retirement counseling to members.	✓	✗
Criminal charges related to employment.	✓	✗

We provide service, support and organizing assistance ...	To Members	To Non-Members
Professional Matters		
Training in employment law, bargaining, legal issues, grievance processing, organizing, leadership, etc.	✓	✗
Professional development on special education, DESE and DCF rules and regulations, etc. Many school districts cannot afford to or do not offer meaningful professional development opportunities, especially for ESPs. The MTA fills this void with annual statewide conferences as well as local and regional trainings to help teachers and ESPs become more valued professionals.	✓	✗
Assistance in obtaining National Board certification.	✓	✗
Association Activities		
Participation in union governance. You have a right to hold local, MTA or NEA office and to elect your union representatives. Rights include serving on executive boards, negotiating teams or committees, and participating in the MTA's and NEA's annual meetings.	✓	✗
Voting on local, state and national union matters. You have a right to have a voice in and vote on union priorities and budgets.	✓	✗
Attending union conferences and trainings at the local, regional, state and national levels.	✓	✗
MTA Benefits		
Disability insurance. This insurance provides critical income protection when you are unable to work for an extended period of time and you don't have sick time to cover the absence.	✓	✗
Home and auto insurance discounts. Members have a choice with their auto and home insurance. Liberty Mutual and Hanover Insurance offer discounts and coverage geared to the unique needs of educational professionals.	✓	✗
Mortgage. Save thousands per-transaction with Mid-Island Mortgage.	✓	✗
Student loan debt assistance. Free loan counseling to help you determine whether you're eligible for a loan forgiveness program and to help you manage your debt.	✓	✗
Discounts on products, services and attractions both locally and nationally. MTAB's benefit programs and Discount Directory, along with members' use of Access Nationwide Discounts can provide thousands of dollars in savings annually.	✓	✗
Your family can benefit, too. Most programs available to members are also open to family members. Family membership is FREE and an easy way to reduce your household expenses.	✓	✗

OFFICES AND PHONE NUMBERS



QUINCY HEADQUARTERS		
2 Heritage Drive, 8th Floor Quincy, MA 02171-2119 800.392.6175 617.878.8000		
PRESIDENT Max Page 617.878.8293	VICE PRESIDENT Deb McCarthy 617.878.8214	EXECUTIVE DIRECTOR-TREASURER Mike Fadel 617.878.8210
DIRECTOR FIELD AND ORGANIZING Brendan Sharkey 617.878.8105	DIRECTOR GRASSROOTS CAMPAIGNS Paul McClory 617.878.8192	GENERAL COUNSEL LEGAL SERVICES Rebecca Yee 617.878.8245
DIRECTOR LEGISLATION, POLICY AND POLITICAL ACTION Noah Berger 617.878.8207	REGIONAL MANAGER HIGHER EDUCATION Heather LaPenn 617.878.8436	PRESIDENT MTA BENEFITS Elizabeth Bejoian 617.557.6617
DIRECTOR COMMUNICATIONS Amanda Torres-Price 617.878.8308	DIRECTOR HUMAN RESOURCES Ethel Daniel 617.878.8211	DIRECTOR TRAINING AND PROFESSIONAL LEARNING Ricardo Rosa 617.878.8155
CHIEF FINANCIAL OFFICER Beth Evers 617.878.8309	DIRECTOR ITS AND PRINTING & MAILING Glenn M. Coolong 617.878.8230	REGIONAL MANAGER ORGANIZING Courtney Derwinski 617.878.8171
DIRECTOR GOVERNANCE AND ADMINISTRATION Jennifer Freeling 617.878.8213		

MTA REGIONAL OFFICES*		
MANAGER NORTHEAST AND METROPOLITAN REGIONS Charmaine Champagne 617.878.8507	MANAGER CENTRAL AND SOUTHEAST REGIONS Victor Rosado 617.878.8651	MANAGER WESTERN REGION Taylor Brennan 617.878.8554
NORTHEAST REGIONAL OFFICE 35 Village Road, Suite 602 Middleton, MA 01949 781.246.9779 800.421.3332	CENTRAL REGIONAL OFFICE 12 East Worcester St., 2nd Floor Worcester, MA 01604 508.791.2121 800.542.5504	HOLYOKE REGIONAL OFFICE 55 Bobala Rd., Suite 3 Holyoke, MA 01040 413.535.2415 800.432.1117
METRO REGIONAL OFFICE 2 Heritage Drive, 8th Floor Quincy, MA 02171-2119 781.380.1410 800.479.1410	SOUTHEAST REGIONAL OFFICE 756 Orchard St., 3rd Floor Raynham, MA 02767 508.822.5371 800.336.1118	PITTSFIELD REGIONAL OFFICE 188 East St. Pittsfield, MA 01201-6124 413.499.0257 800.464.8088
*A listing of Field and Organizing Division staff is available at: www.massteacher.org/fieldstaff		

NATIONAL EDUCATION ASSOCIATION (NEA)	DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION (DESE)	MASSACHUSETTS TEACHERS' RETIREMENT SYSTEM (MTRS)
National Headquarters 1201 16th St., N.W. Washington, D.C. 20036 202.833.4000 www.nea.org	135 Santilli Highway Everett, MA 02149 781.338.3000 www.doe.mass.edu Office of Educator Licensure 135 Santilli Highway Everett, MA 02149 781.338.6600 www.doe.mass.edu/licensure	Main Office 500 Rutherford Ave., Suite 210 Charlestown, MA 02129-1628 617.679.6877 www.mass.gov/mtrs

IMPORTANT ASSOCIATION INFORMATION



LOCAL ASSOCIATION PRESIDENTS' HANDBOOK

MTA STRATEGIC PRIORITIES

The MTA initiated the All In campaign to proactively respond to the ongoing attack on the collective power of working people and their organizations.

That campaign — along with the MTA Blueprint Project, aimed at broadening All In and further building our power — demonstrates that our 117,000 members see union membership as essential to their professional respect and to their quality of life.

THE MTA BLUEPRINT PROJECT

MTA members, leaders and staff undertook the MTA Blueprint Project — an assessment completed through surveys, focus groups and collaborative analysis — to create a blueprint for not only sustaining but growing our collective power.

The Blueprint project envisions a society where all students, from prekindergarten through college, have the right to a free and outstanding public education; a society where those of us who educate and care for our students are treated with dignity, have a meaningful voice in our work, quality health care, and a secure retirement; a society where students are able to learn because they are free from fear, food and housing insecurity, and live in thriving communities; a society where public education and trade unionism are revered as essential pillars of democracy and justice. We believe in rank-and-file member activism so that we have power in our work, our communities and our union. We believe that collective bargaining agreements are crucial tools by which we achieve justice for our members and our students. We believe in social, racial and economic justice for all people as essential conditions for a democratic society.

The following five strategic priorities are central to the project:

- #1:** Connect Members to the Life of the Union
- #2:** Cultivate and Support Leadership at All Levels of the Union
- #3:** Maximize Our Bargaining Power
- #4:** Advance Policy Solutions and Campaigns
- #5:** Lead on Economic, Social and Racial Justice

ALL IN INITIATIVE

All In locals are vibrant and set clear goals. They are healthy organizations that successfully engage large numbers of members in key areas — including advocacy and political action — to advance their interests as professionals. They welcome members and let them know that their participation is meaningful.

Among other attributes, our All In locals:

- Have a strong member-to-member communication system at each worksite.
- Regularly communicate with members regarding building, district, local and state issues.
- Reach out to members to invite them to participate in the local's events. Whenever possible, outreach is done through one-to-one conversations using the local's communication structure.
- Advocate for members via collective bargaining, grievance and arbitration processing and enforcement of legal rights.
- Are recognized as the "voice of education" by members, parents, community leaders and the media.
- Have numerous leaders who are seen by members as trailblazers in important areas.
- Have many members who understand and can articulate the role of unions in creating a just society.
- Have leaders and members who are actively engaged in the political process at the local and state levels, model political engagement to others and actively participate in the MTA candidate recommendation process.
- Have a political action structure and members who are trained to take part in campaigns and lobbying. Have strong bylaws, transparent financial and membership systems and a firm commitment to meet legal and fiduciary obligations.
- Are dedicated to long-range planning, with meaningful involvement at all levels by leaders and members alike.
- Have an intentional program for eliciting and addressing the concerns, values and goals of new members, thereby generating leadership for the future.

LEGISLATIVE AND POLITICAL ACTION TEAMS

At the heart of the MTA's efforts to increase member involvement in legislative and electoral politics are our Legislative and Political Action Teams. The LPATs are structured around the Legislature and based in each of the 40 Senate districts around the state. They are designed to empower members, strengthen our relationships with each other and our legislators and advocate for MTA's legislative and political agenda. They are working closely with Political Action Leaders — PALs — who represent local associations and chapters.

Each LPAT is led by a Senate District Coordinator who has been through extensive training to prepare for the role. Those who serve on LPATs include active members and retirees, teachers and higher education faculty, professional staff and Education Support Professionals. The PALs, like the LPATs, are vital to our success. They work with local and chapter presidents, organizing and recruiting members and lobbying. Each local president is asked to appoint a PAL for their association or chapter.

THE MTA ANNUAL MEETING OF DELEGATES

The Annual Meeting of Delegates is usually held each spring.

The Annual Meeting is comprised of delegates apportioned by the MTA and elected by and from the local, county and state affiliates, ethnic minority representatives elected from each electoral region and Statewide Retired District delegates, as well as the MTA Board of Directors. The proceedings are governed by Robert's Rules of Order, Newly Revised, and the MTA Bylaws and Standing Rules.

The delegates to the Annual Meeting have the following duties:

- Elect the president, vice president, Executive Committee members and Board of Directors.
- Establish the level of annual dues.
- Adopt the annual budget of the association.
- Exercise final authority in all matters of the association, except as otherwise provided in the bylaws or by statute.
- Amend the bylaws of the association.
- Adopt the agenda and the rules governing the meetings.
- Act on new business items submitted.
- Enact all other such measures as may be necessary to achieve the goals and objectives of the association that are not in conflict with the bylaws.
- Exercise jurisdiction over the accreditation of delegates and alternates at the Annual Meeting.
- Fill interim vacancies that occur on the Board by mail ballot.

THE MTA AND ETHNIC MINORITY INVOLVEMENT

The MTA is strongly committed to the full participation of ethnic minority members in leadership and organizational activities. To achieve greater levels of ethnic minority membership involvement, the MTA supports an ambitious series of policies and programs that include:

ETHNIC MINORITY AFFAIRS COMMITTEE (EMAC)

Ethnic Minority Affairs Committee: This nine-member standing committee regularly communicates the concerns of ethnic minority members to the MTA president, Executive Committee and Board of Directors and annually reviews the MTA Minority Involvement Plan. The plan defines ethnic minority members as Native American/Alaska Native, Asian/Pacific Islander, Black, Cape Verdean and Hispanic.

Leadership Training and Involvement Programs: EMAC, with the assistance of MTA and NEA professional development resources, provides unique opportunities to prepare ethnic minority members for greater involvement at the local, state and national levels. Minority leadership training programs, presented by the committee's cadre of experienced trainers, develop specific skill areas such as political involvement and communications, and provide in-depth information about state and local organizational structures and opportunities to participate. In addition, EMAC brings people of color and non-minority members together at MTA's Summer Conference for the exchange of ideas and issues.

INVOLVEMENT IN MTA GOVERNANCE

Board of Directors and committees: In 2019, the MTA Annual Meeting of Delegates voted to add an at-large seat representing the ethnic minority membership to the Executive Committee. In addition to this seat and the at-large ethnic minority seat on the MTA Board of Directors, an MTA bylaw guarantees that all MTA standing committees have ethnic minority representation. MTA bylaws also provide for proportional ethnic minority representation at the MTA Annual Meeting.

Organizational policy to ensure ethnic minority participation in the NEA: NEA Bylaws establish that ethnic minority members shall be included in each state's delegation to the annual NEA Representative Assembly in an amount minimally equal to "... the proportion of identified ethnic minority populations within the state." MTA's Minority Involvement Plan — including the Ethnic Minority Affairs Committee, specialized training programs and communications through MTA publications — is designed to implement that policy.

For more information on the MTA Ethnic Minority Affairs Committee, visit massteacher.org/emac.

THE MTA AND ADMINISTRATORS

The affiliation of MTA and school building administrators goes back to 1845 and is as old as the organization itself. Today, the MTA remains dedicated to the proposition that the relationship between administrators and educators is at the heart of effective education. The MTA is proud that common membership in its local affiliates provides a bond that helps strengthen this educator-administrator relationship. This relationship is increasingly important in light of the significant changes wrought by education reform.

Anyone weighing the benefits of MTA membership needs to carefully consider MTA's organizational strength and experience in areas of collective bargaining, legislative activity, professional development and research compared to the strength and experience of other organizations.

Legal Services: The legal services offered to MTA members far surpass those offered by other organizations. For example:

The MTA provides legal services at no cost to members in the following areas:

- Litigation over the loss of your job.
- Employment discrimination (age, sex, gender identity, sexual orientation, race, religion, national origin, etc.).
- Unemployment benefits.
- DESE investigations/hearings regarding licensure revocation or suspension.
- Retirement disputes with the Massachusetts Teachers' Retirement System.
- Defense against child abuse charges filed with the Department of Children and Families.
- Workers' Compensation.
- Litigation involving health and safety in the workplace.
- Assistance in bringing criminal charges if you are assaulted at work.
- Open meeting law violations adversely affecting you.

MTA/NEA members are covered by an insurance policy that provides \$1 million in coverage to protect you in the event you are sued in connection with your employment, under terms specified in the Educators Employment Liability (EEL) Policy.

MTA/NEA members who are charged with crimes allegedly arising from employment are covered by the EEL Policy and are entitled to reimbursement for up to \$35,000 in criminal defense fees, if they are exonerated of all charges.

MTA members have the opportunity to significantly increase their annual and everyday savings by taking advantage of benefit programs that they're eligible for because of their MTA membership. MTA Benefits offers dozens of programs in categories such as finance, health and wellness, insurance and travel. It's easy for members to save much more than the cost of their member dues.

The MTA knows that its continued effectiveness as an organization — like the effectiveness of education itself — requires a team of educators, including administrators, who enjoy and exercise full rights as professionals. The MTA also knows that these rights can only be preserved through active collaboration. The MTA remains dedicated to continuing and strengthening this collaboration.

NEA PROGRAMS AND SERVICES

The National Education Association is the members' lobbyist for education at the national level. The NEA provides extensive research on educational issues and collective bargaining, publishes myriad books and other materials to help educators teach, provides legal defense services, makes general field assistance available and is a national leader in human and civil rights.

NEA also:

- Helps fund the MTA Field and Organizing program with \$41,371 per field representative and regional organizer in 2024-2025. This is a total of \$3,392,422 for full-time grants.
- Provides \$235,815 to fund a program to support part-time field representatives and regional organizers.
- Provides financial reimbursement to MTA for legal services to its members.
- Provides more in financial assistance to MTA for specific projects dealing with higher education, ESPs, retirement, release time, minority leadership, political action and other issues.
- Performs comprehensive assessments of locals, upon request, to enable them to provide better services to their members.
- Provides MTA/NEA members with complimentary life insurance, as well as accidental disability and dismemberment insurance, upon request. *The \$1,000 life insurance benefit applies only to active and reserve members. Retired members do not receive this benefit.*

Education Support Professionals are a crucial part of the education team. They provide a myriad of services, from office operations and classroom support to ensuring grounds and buildings are safe and healthy. ESPs are classified within nine careers. They are: clerical; health and student services; paraeducators; transportation; custodial and maintenance; technical; security; skilled trades; and food services.

Finally, there are a number of training programs, including workshops on recruiting and motivating volunteers, conflict resolution, consensus decision-making, minority involvement and educator image.

If you are interested in any of these programs, please call your regional MTA Service Center.

THE NEA REPRESENTATIVE ASSEMBLY

The NEA Representative Assembly, known familiarly as the “RA,” is the annual meeting of the National Education Association. It is usually held in late June and early July.

The RA is composed of delegates/members of the association and derives its powers from, and is responsible to, the membership.

Delegates to the RA from local and state affiliates are apportioned and elected in accordance with the provisions of the NEA Constitution and Bylaws.

The RA performs these functions: establishes policies and objectives; elects the president, vice president, secretary-treasurer, at-large members of the Board of Directors and members of the Executive Committee as provided in its Constitution and/or Bylaws; adopts the annual budget; establishes dues; approves or ratifies the establishment of subsidiary corporate structures; exercises final authority in all matters of the association; amends the NEA Constitution and Bylaws; and enacts such other measures as may be necessary to achieve the goals and objectives of the association that are not in conflict with the NEA Charter, Constitution or Bylaws.

MTA/NEA AND EDUCATION SUPPORT PROFESSIONALS

Education Support Professionals are a crucial part of the education team. They provide a myriad of services, from office operations and classroom support to ensuring grounds and buildings are safe and healthy. ESPs are classified within nine careers. They are: clerical; health and student services; paraeducators; transportation; custodial and maintenance; technical; security; skilled trades; and food services.

As part of the school family, teachers, ESPs and administrators work in concert to ensure that students receive a quality education. Membership in the MTA and NEA helps everyone do a better job.

ESP members become part of an organization that understands their needs and brings them the recognition and protection they deserve. In 2000, delegates to the MTA Annual Meeting of Delegates voted to create an at-large seat on the Board of Directors to represent ESPs, integrating support professionals into the MTA decision-making structure.

In 2010, Annual Meeting delegates voted to add an at-large ESP seat to the MTA Executive Committee.

In recent years, the MTA and its locals have fought to secure the MTA PreK-12 ESP Bill of Rights through organizing, bargaining and political pressure. This bill of rights includes:

A Living Wage. All Education Support Professionals should be paid a living wage. No job should require more than seven years to reach the top step.

Affordable Health Insurance. No ESP should be receiving the dreaded “zero-dollar check” in order to afford health insurance premiums. All checks for ESPs must reflect at least the state minimum wage for hours worked. The district should make up any difference between the actual amount of the check after insurance has been taken out and what the ESP would have received at the state private-sector minimum wage.

Health and Safety. ESPs continue to be victims of physical, verbal and emotional abuse and bullying in the workplace. In order to provide a safer environment in our schools, ESPs need adequate supplies, fully staffed programs, clear protocols, employer-provided trainings on OSHA rules, and whistleblower protections.

Paid Family and Medical Leave. Just like all Massachusetts residents, ESPs deserve access to paid Family and Medical Leave Act benefits, as well as access to other FMLA protections, no matter how many hours a week they work.

Job Security. Too many ESPs do not know if they will have a job from one year to the next. School districts need to eliminate this insecurity and commit to the importance of ESPs. ESPs need automatic renewal language, a 90-day probation period, and strong just cause provisions.

Recognition as Educators. ESPs deserve a strong voice in their schools, resources to access training outside of the district, relevant and meaningful professional development opportunities, and a role on every employee committee in every district.

Affordable Education to Strengthen Careers. The vast majority of ESPs earn less than \$30,000 a year despite the fact that nearly 80 percent have college degrees. Many ESPs carry significant amounts of student debt or are helping family members pay off student debt. Many ESPs want more education but cannot afford to pay for it. ESPs deserve an affordable way of climbing the education career ladder — as well as a way of paying off career-related debt.

WHY ESP MEMBERS JOIN MTA/NEA

There are thousands of ESP members in the MTA/NEA. They add their voices to those of their colleagues, strengthening efforts to secure better wages and working conditions. MTA/NEA dues provide ESPs and their co-workers with the assistance they need to improve the lives of themselves, their families, and their students.

SPECIAL ESP TRAINING PROGRAMS

Throughout the year and at an annual conference, the MTA provides special free training programs designed specifically for ESP members. Topics include contractual rights, preparing for negotiations, understanding the MTA's structure and governance, professional career development and leadership development.

For more information about the MTA's ESP programs and the MTA ESP Prek-12 Bill of Rights, visit: massteacher.org/esp.

MTA/NEA AND VOCATIONAL EDUCATION

Over the past several years, thousands of vocational education personnel have become members of MTA/NEA, the only union devoted exclusively to representing the interests of *all* educational personnel.

WHY VOCATIONAL EDUCATORS JOIN THE MTA

As members, vocational educators add their voices to those of their colleagues to strengthen MTA/NEA efforts to secure better wages and working conditions.

The MTA provides local associations with experienced staff who understand the problems unique to vocational schools and who have expertise in meeting their needs as vocational educators.

MTA IS ALWAYS ON THE JOB

The MTA maintains regional offices across the state, so assistance is always close by. An MTA representative is always available to the local association.

The MTA provides professional negotiators who help bargain contracts and ensure enforcement of contract provisions. After your contract has been bargained, the MTA provides skilled staff members who handle all aspects of contract enforcement and any grievances that may arise.

Some examples of employment gains that local associations and the MTA have negotiated for vocational educators are:

- *Compensatory time* provisions, which ensure that vocational educators who substitute for absent teachers (and thereby guarantee that quality education is maintained) are compensated.
- *Options for completion of professional development requirements* for vocational educators and reimbursement for those requirements.
- *Salary schedules that allow vocational educators to apply practical experience* toward step increases and that allow rapid advancement toward the maximum level.
- *Workers' Compensation provisions and group disability benefits* included in collective bargaining agreements.

MTA — THE LEADER IN VOCATIONAL EDUCATION

The MTA is recognized as a leading advocate for vocational education issues. Through the MTA, vocational/technical faculties are effectively represented in the Legislature and at the Department of Elementary and Secondary Education. It was the MTA that first promoted the establishment of specified time requirements for related theory instruction.

It is the MTA that continually takes the lead in lobbying for bills that enhance vocational education. The MTA regularly addresses voc-ed issues as part of its annual legislative program.

MTA LOCAL ASSOCIATION AND ELECTORAL INFORMATION

The Local Association Electoral Directory is online, at massteacher.org/locals.

MTA Electoral and District Plan is online, at massteacher.org/electoraldirectory.

PRESIDENT'S ROLE AND COMMUNICATIONS



PRESIDENT'S JOB DESCRIPTION

YOU ARE A LEADER

- Become the voice of your association.
- Engage members in the activities and concerns of the association.
- Represent your members to the administration, the public and the media, and within the wider education community.
- Hone your skills by attending workshops and training sessions offered by the MTA.
- Recruit committee chairs and member leaders from all segments of your membership.
- Promote association activism.

YOU ARE AN ORGANIZER

- Work to build a union culture in every building. Work with members to develop their organizing and communications skills.
- Promote and maintain membership through your words and actions.
- Plan and conduct short, interesting and productive membership meetings.
- Identify respected members who can help in organizing and take leadership positions.

YOU ARE A COMMUNICATOR

- Maintain two-way communications between the membership and the association through newsletters, bulletins, email networks — and, most important, one-to-one contact.
- Listen.
- Be available.

YOU ARE A CONTRACT ENFORCER

- Know your contract.
- Know district policies.
- Keep track of grievances.
- Know what your members want — and don't want — at the bargaining table by encouraging input and involving members in the bargaining process through meetings or by utilizing a customized bargaining survey available from the MTA.

YOU ARE AN ADVOCATE

- Lead and develop leaders who will work together for a strong, unified union that stands together in solidarity for our students, our schools and our union.
- Support and defend the rights of all members.
- Lead an association that will fight to guarantee each member's due process rights.

YOU ARE THE CONDUIT TO ADVANCE THE MTA BLUEPRINT PRIORITIES

- Connecting members to the life of the union.
- Cultivating and supporting leadership at all levels.
- Maximizing our bargaining power.
- Advancing policy solutions and campaigns.
- Leading on economic, social and racial justice.

EFFECTIVE COMMUNICATIONS

AN EFFECTIVE COMMUNICATOR...

- Understands the value of getting the message across to diverse audiences. First and foremost, you always must remember your audience and craft your message accordingly.
- Remembers that the words you use often determine the reaction you receive. Words often carry different meanings for different people, which can hinder understanding just when you need it most. Choose your words carefully.
- Thinks first. Prioritizing the points you want to make is the smart way to deliver your message. Remember that listeners rarely remember more than the first three or four things a speaker says. Make sure they hear your important messages by putting first things first.
- Keeps it simple. You're not out to impress; rather, your job is to inform. Save the fancy words for another time.
- Doesn't get distracted. If you are organized before you begin to speak, there will be less chance you'll forget something important or get sidetracked from your message.
- Remembers that the nonverbal messages matter. Be aware of how your body language affects your listeners. Research tells us that if the verbal and nonverbal messages are contradictory, people will always believe the nonverbal. So if you want people to believe your words, you first have to make them believe your body language.

AN EFFECTIVE COMMUNICATOR IS AN EFFECTIVE LISTENER

The most important part of listening is not talking, because you can't listen when you're talking. When communicating, the average person spends:

- 9 percent of the time writing.
- 16 percent reading.
- 30 percent speaking.
- 45 percent listening.

While these percentages may vary slightly for school employees, overall we each spend more time communicating by listening than any other activity. Therefore, improving our listening skills is of the utmost importance to our success as association leaders. We don't listen just to be nice to others. Listening earns power and respect and it gets you the information you need to be effective. It enhances our interpersonal relationships, develops confidence and self-esteem, increases understanding, solves problems, increases job satisfaction, maintains flexibility, saves you time and improves your concentration. As they say, "knowledge is power." Through listening, you have more data at your disposal than others do. Therefore, your actions will be well informed and appropriate. People aren't born effective listeners. *You have to want to listen better.*

Nonverbal listening skills are very important. Smart listeners look for what the speaker may be telling them through body language. They listen for the tone of voice. And they listen actively, too, by using direct eye contact, a voice that encourages and body language and facial expressions that communicate interest.

AN EFFECTIVE COMMUNICATOR ELIMINATES BARRIERS

When we process a piece of information, take an action or make a decision, many communications barriers can be avoided if we ask three simple questions:

1. WHO SHOULD KNOW ABOUT THIS?

Does the information relate to another person's job or task? Who else is interested or should know about this information or decision? In deciding who needs a particular piece of information, it is often helpful to consider:

- Those affected by the information, action or decision.
- Those who will have to implement the action or decision.

2. WHAT/HOW MUCH DO THEY NEED TO KNOW?

Sometimes a short summary will get noticed more quickly than a 10-page document.

3. HOW SOON DO THEY NEED TO KNOW?

Right now, or can it wait? If it can wait, how long?

Recognize that people find it very difficult to say to another person, "I don't understand what you are saying to me." It is seldom useful to give information or instructions and then ask, "Do you understand?" Most people will just nod their heads and say, "Yes." To do otherwise is to admit either that they weren't listening attentively or that the speaker was not clear.

It is preferable to give part of the information or instructions and then get feedback about whether you are being understood. You could ask the listener how they plan to go about accomplishing the task. From the listener's explanation, you should be able to determine whether you have communicated effectively.

When possible, always check with the source of an action request. When a message passes through several people, it is extremely vulnerable to change. Checking with the originator of a request often can prevent much wasted time.

When people are in trouble, it is best to meet their needs first and to counsel them later. The reason is simple: It is difficult to be objective or to listen accurately when enmeshed in a situation calling for immediate remedial action.

You can contact your field representative to arrange communications skills training for all of your association's leaders.

USING YOUR COMMUNICATIONS TOOLS

Communications tools such as bulletin boards, email and e-newsletters offer a quick and effective way to get the word out — especially in a large building with few representatives.

Messages should be clearly identified as the association's in staff room(s) and on email. The materials posted should include:

- The association's newsletter.
- Minutes of association meetings.
- Current status of grievances. Be mindful of privacy concerns.
- MTA-NEA information that is pertinent to your membership, such as *MTA Today*, *NEA Today*, MTA/NEA website information, the weekly MTA Union News email, meeting notices, legislative updates, important phone numbers, etc. To sign up for news from MTA, visit <https://massteacher.org/mtanews>.

Your communications tools may be used to celebrate all the good news about your membership. Be sure to post birth announcements, honors and awards received by association members and any other positive news about an association member. This is one way for the association to publicly demonstrate its respect for and recognition of its members.

One final note: Active communications platforms are noticed; stale ones are not. Work at keeping up-to-date and interesting material posted.

THE 10-MINUTE WORKSITE MEETING

THE OBJECTIVES OF THE 10-MINUTE MEETING ARE TO:

- Encourage two-way communication between the association and its members.
- Seek involvement in the association's programs and decision-making.
- Share and celebrate association successes/victories.

A 10-MINUTE MEETING MIGHT LOOK LIKE THIS:

0-3 MINUTES: Report what the association is doing. Focus only on the most relevant information. Then briefly identify other important issues and let members know you are willing to discuss these after the meeting if they so desire.

3-9 MINUTES: Emphasize member involvement. Seek members' input regarding the presented information and ask for volunteers to meet association program needs and/or identify other issues/problems of concern to them.

9-10 MINUTES: Share something positive with your members — an association success or victory.

KEYS TO SUCCESS:

1. Explain/review the purpose and objectives of the 10-minute meeting.
2. Explain that the meeting will never be more than 10 minutes long.
3. Let members know that you will be available after the meeting to continue a discussion or hear additional input; reinforce that you won't violate your 10-minute-meeting contract.
4. Let members know that if they want to schedule another meeting to discuss issues and concerns in more depth, you are willing to do that.
5. If necessary, develop group norms around member participation during the meeting.
6. Start and end on time.
7. Remember, it's the members' meeting, too, so if they want to vary the agenda, that's their prerogative.

MEMBERSHIP AND MEMBERSHIP SERVICES



LOCAL ASSOCIATION PRESIDENTS' HANDBOOK

RECRUITING AND ENROLLING NEW MEMBERS

New members are our lifeblood. Our goal should be 100 percent membership and engagement. We want all employees to be active members of the union. To reach that goal we need to have a plan of action — to sign up all new hires as members of our union and to reach out to them individually to get them involved.

The MTA has developed a guide to help locals sign up and involve all new hires, so they ensure their power in the future. Guide sections include:

1. Four Steps Before Orientation
2. Introduction To New Hire Orientations
3. Five Simple Steps For Orientation
4. Building Engagement In Your Union
5. Calendar Of New Member Activity

Additional Resources include tips and information on: Overcoming Objections; Top 10 Reasons to Join; Comparison Chart: Union Member vs Non-Union Member; How to do a B.R.A.G; Sample Letter to New Hires and fillable or printable membership forms.

The Signing Up New Members Guide with additional resources is located at: massteacher.org/newmembersignup.

ASSESSING AND PLANNING

Building a strong local requires intentional planning. Locals where members are the decision-makers and are engaged and encouraged to take action — a rank-and-file strategy — are more powerful and more effective in negotiations, advocacy and political action. Every local can become a stronger and more democratic union than it already is.

DO YOU EVER ASK – WHAT KIND OF UNION DO WE WANT TO BE?

1. Does your local ever conduct a self-assessment?
2. Does your local have a goal-planning process?
3. Do you have regular local leadership meetings?
4. Do you have regular membership meetings?
5. Do you have a reliable two-way communication system? (Can you explain how it works? Do you know where you have weak spots? How many days would it take for your building representatives to ask a question of each member and report back the answers?)
6. Do you have a new member enrollment plan and process — can you describe it?
7. Does your local prepare a budget annually and get regular reports from your treasurer?
8. Do you apply for MTA's local office support annually and organizing grants like All In?
9. Are all of your local leadership (officers) and building rep positions filled?
10. Do you have a New Member Liaison?
11. Do you have a Political Action Leader (PAL)?
12. Do you engage your members during the bargaining process?
13. What could you achieve if your local was better organized, more united and more powerful?

If you are interested in doing an assessment and planning process, talk to your field representative. Visit massteacher.org/preshandbook for a simple local self-assessment tool.

ACCESSING ADDITIONAL MTA RESOURCES

Are you taking advantage of all the opportunities from MTA for financial assistance and consulting services?

Grants and Special Services for Local Associations

Local Associations are entitled to specific grants and services to help fund organizing activities, provide support in a bargaining crisis, support the establishment of release time for presidents, analyze health insurance benefits, support local health and safety committees and defray the costs associated with a local union. If you are interested, talk with your field rep after reading about the programs at links included below.

ALL IN GRANT

Locals that develop a plan to build member power through engagement and action will receive between \$4 and \$10 per member depending on the number of locals that apply. Plan approval is contingent on maintaining and sharing with the MTA an accurate list of all bargaining unit members, the development and use of a two-way communication system, conducting intentional member conversations and implementing organizing and mobilizing actions. Visit massteacher.org/preshandbook for more information or to fill out the online application.

CRISIS FUNDS REIMBURSEMENT

When local unions are in a bargaining crisis, they may be entitled to economic support from the MTA in the form of reimbursement for certain expenses related to the crisis. Locals have received funds for, among other things, renting a crisis center, printing and advertising expenses and off-site meeting-room space. The limitation on reimbursement is \$2,000 per fiscal year, with an additional \$1,000 if the amount is matched by the local. A local may also get support if the local's status as exclusive representative is challenged or when the local is undertaking an organizing drive for new members. Full details on what constitutes a bargaining crisis, a copy of the Memorandum of Understanding and other important details can be found at massteacher.org/preshandbook.

LOCAL OFFICE SUPPORT

Locals are eligible for financial support from the MTA to defray a portion of the administrative costs of operating a local affiliate. Certain office, local officer compensation and conference costs may be reimbursed. You and your treasurer should read the full policy and the guidelines very carefully as there are strict filing timelines and procedures. The guidelines require that locals submit requests for reimbursement on a quarterly basis. The administrative procedures suggest that requests be submitted within 30 days of the end of MTA's fiscal quarters. Due dates are Oct. 30, Jan. 30, April 30 and July 15. ANY OTHER REQUEST FOR SUPPORT RELATED TO THE FISCAL YEAR ENDING JUNE 30 POSTMARKED AFTER JULY 15 OR THE NEXT REGULAR BUSINESS DAY WILL NOT BE HONORED. Visit massteacher.org/localofficesupport for more information.

ENVIRONMENTAL HEALTH AND SAFETY CONSULTING ON INDOOR AIR QUALITY AND WORKPLACE HEALTH & SAFETY ISSUES

In addition to funding and staffing a member-led Environmental Health & Safety Committee, MTA provides consulting services to locals on indoor air quality/workplace health and safety issues. Locals may apply for grants of up to \$3,200 for approved consulting advice, training, legal advice or representation. Requests are contingent on the local having a Health & Safety Committee of at least three members. The request must be signed by the local president and field rep and include the contact information for a member of the local Health & Safety Committee. For more information and a Request For Services form, go to massteacher.org/preshandbook.

LOCAL PRESIDENT RELEASE-TIME GRANT PROGRAM

This MTA grant is designed to provide financial assistance to locals or chapters to fund paid release time for local presidents. Release time is traditionally full- or half-time, but MTA has supported alternative forms of union time, including but not limited to reduced teaching loads or schedules and release time in terms of days or hours. The presence of a local/chapter president with some release time helps build and develop strong organizing locals and increases rank-and-file member engagement. For more information and to access the grant form, go to massteacher.org/preshandbook.

PUBLIC RELATIONS AND ORGANIZING (PRO) GRANT

The Public Relations/Organizing Campaign Committee supports MTA organizing and coalition-building efforts and promotes the activities and successes of educators and public education at all levels. The committee works with the MTA Executive Committee to provide grants that help improve the image of public educators and serve as a positive force in the association's public relations efforts. If approved, a local may be eligible for a grant of up to \$5,000 per fiscal year. For an application form and guidelines, go to massteacher.org/pro.

NEW MEMBER EVENT

Local associations that conduct a New Member Event for the purpose of enrolling new hires are eligible for reimbursement for 50 percent of the cost of the event (maximum reimbursement is \$500), not including alcohol. The event can be purely social or can include a local orientation and you may invite current members. Please send an email to your field rep describing your local event and attach digital photos of the receipts. In addition to the field rep, copy Renee Gatewood at rgatewood@massteacher.org.

THE FIELD REP: YOUR DIRECT LINK TO THE MTA

The MTA field representative-organizer assigned to your local is your direct link to all MTA and NEA activities. The UniServ program, which is administered by the Field and Organizing Division, is a cooperative effort to bring the services of the MTA and NEA as close to the needs of the members as possible. These professional negotiators and skilled organizers work with local association leadership and members.

Field representative-organizers and part-time regional representatives across the Commonwealth deliver the services of the MTA and NEA. Our regional offices are located in Holyoke, Middleton, Pittsfield, Quincy, Raynham, and Worcester. The director of field and organizing and three regional managers direct field representative-organizers and regional organizers.

Higher Education is composed of a manager and a support staff member and field representative-organizers who are located in several regional offices. In addition, a team of bargaining and campaign specialists work on research and developing contract language to assist with local bargaining and statewide campaigns.

Through this staff, the MTA helps your association negotiate salaries, hours, leaves of absence, health care, transfers, performance reviews, class size, teacher performance standards and other negotiable issues. In addition, the staff resolves local crises, enlists parent and community support, helps develop strategies for municipal budget overrides in support of local preK-12 education, and strives to defeat attempts on Beacon Hill to weaken public education. The MTA field staff also assist locals with issue organizing.

All requests for MTA and NEA services should be made by the local association president through your field representative-organizer. In the event the field representative-organizer is unavailable at the time of your request, ask for the regional manager, who will ensure your request is processed.

MTA GOVERNANCE STRUCTURE

The MTA is governed by a Board of Directors, which includes the president, vice president, executive director-treasurer (non-voting), the Executive Committee (eight regional positions, a statewide retiree position and at-large statewide Ethnic Minority and Education Support Professionals positions), district directors (50 regional district directors and four statewide: two retirees; one at-large representative of ESPs; and one at-large representative of ethnic minority members), and the Massachusetts NEA directors. These Board members are responsible for the general policies and interests of the MTA. Executive Committee and Board seats are elected positions that represent constituents regionally or statewide.

To find out who your Executive Committee and Board representatives are and for a list of MTA Electoral Regions and Districts, go to <https://massteacher.org/about-the-mta/mta-governance-structure>.

RETIREMENT SERVICES FOR ACTIVE AND RETIRED MEMBERS

Retirement status should not end union involvement. The experience, wisdom and dedication of our retired members make the MTA stronger. Affiliate presidents play a key role in helping the MTA encourage active members to continue their involvement in the retired membership category.

MTA members should have financially sound retirements upon the completion of active employment. Of key importance is a fully funded retirement plan with adequate benefits, including cost-of-living increases and adequate and affordable health insurance. To support the objectives of the MTA, the association employs an organizer who works with our retired membership; lobbyists and Senate District Coordinators who track and oppose adverse statutory changes to retiree benefits; attorneys who represent members with legal disputes concerning retirement benefits; and a retirement coordinator and part-time retirement consultants.

Retired members are represented in MTA's governance structure with a designated seat on the Executive Committee and two seats on the Board of Directors. MTA's Bylaws establish a Retired Members Committee.

Part-time retirement consultants are available by appointment in various MTA regional offices. Their schedules appear on the MTA web page for retirement planning, massteacher.org/mta-membership/retirement-planning. Group workshops are available to MTA affiliates by request.

The MTA pursues an aggressive program for the protection of the rights of retired members and to ensure the active participation of retired members in the political, legislative and governance activities of the MTA and NEA.

Lisa Lemieux is the retired member organizer. To contact Lemieux, email her at llemieux@massteacher.org.

GIFT MEMBERSHIPS AND RECOGNITION CERTIFICATES FOR RETIRING MEMBERS

If your association would like to give gift memberships to retiring colleagues or award your members with distinguished-service certificates, the retired member organizer can provide information.

PRE-PAY OPTION FOR RETIRED MEMBERSHIP

Active members over the age of 40 may pay for Retired Life membership while they are still teaching. The dues rates for this category are currently \$550 for MTA and \$300 for NEA. Contact the retired member organizer for an informational brochure and enrollment form.

MEMBERSHIP BENEFITS





As a local president, you have a tremendous opportunity to help improve the overall quality of life for your members and their families. Those who participate in MTA Benefits' programs, developed exclusively for members, save thousands of dollars each year. In addition, members have the full backing and support of each staff member at MTA Benefits (MTAB). When you need us, we're there for you.

MTA Benefits — a wholly owned subsidiary of the MTA — has been committed to bringing members the best value in the marketplace for more than 50 years. Programs and partners must meet rigorous criteria in order to obtain and retain the MTAB endorsement. Each company and organization is thoroughly researched to ensure it offers exceptional programs and extraordinary savings.

Money-saving benefits are a powerful recruitment and retention tool. The numerous discounts available through MTA Benefits enhance the value of MTA membership and enrich our members' lives outside of work. In turn, your support of MTA Benefits helps strengthen your members' identification with and engagement in your local.

The following information highlights some of the programs that help your members stretch their hard-earned dollars. To learn more, visit mtabenefits.com.

AUTO & HOME INSURANCE PROGRAMS

One of our most popular benefits is our group auto and home insurance programs. Members have a choice when it comes to meeting their insurance needs. Liberty Mutual and Hanover Insurance each offer generous discounts, exceptional service and extensive experience with education professionals. Insurance plans are also available for boats, pets and umbrella coverage.

PERSONAL FINANCES

If you're struggling to pay student loans, manage debt or create a budget you can live with, MTAB has two partners that can help. Cambridge Credit Counseling is a nonprofit, local organization that will shed light on the complicated teacher loan forgiveness process and get you on your way to being debt-free. Stacey Braun Associates offers financial planning services so you can get the help you need for retirement planning, budgeting, investing, estate planning and more.

MENTAL HEALTH

The importance of mental health and wellness is finally being given the attention it needs, but access to care can be a months-long wait. The MTA Benefits Virtual Behavioral Health program is only available to members if the local association adopts the program. Benefits include a \$0 visit fee, a first appointment scheduled within 48 hours, additional visits scheduled in as few as 24 hours, coverage for family members and more. To learn more, visit myrosalie.com/mtabmentalhealth.

DISABILITY INSURANCE

The MTA disability program is one of the most competitively priced group disability income programs for educators in Massachusetts. It's also one of the most important benefits for members to have. The plan is available to locals that do not currently have a payroll slot for deductions, so it's easier than ever to make the program available to your members. A unique feature of the plan is an annual open enrollment, during which members who apply are guaranteed coverage with no medical questions asked. If you need help in bargaining this benefit or explaining it to your members, or you would like a disability needs assessment, call Tom Colbert, Vista Financial, 888.646.1972, Ext. 101, or email him at Tom@VistaFG.com.

MORTGAGE

The process of obtaining a mortgage can be simplified — and financially advantageous — when you use MTAB's mortgage provider. Mid-Island Mortgage is skilled in working with union members and can help you save as much as \$3,000 on lender fees and closing costs.

EVERYDAY DISCOUNTS

MTAB's Discount Directory provides free offers and discounts at hundreds of establishments such as local museums, retail stores, theme parks, car care centers, ski areas, zoos and bookstores. MTAB's online nationwide discount program, Access, helps members save with more than 1 million discounts in popular categories such as shopping, dining and travel. The Access mobile app includes deals at more than 270,000 locations across the country. See all the details at mtabenefits.com.

MTA Benefits also offers the following programs and services, which can add up to huge savings for your members:

- Car rentals.
- Credit cards.
- Dental plans.
- Emergency air and ground transportation services.
- Free eldercare referral service.
- Health and wellness (prescription drugs and hearing aids).
- Home heating oil and propane.
- Identity theft protection.
- Insurance for long-term care, life, critical illness, accident, travel and umbrella liability.
- Magazines.
- School and work supplies.
- Student loan and refinancing programs.
- Travel (hotels and vacation packages).

E-NEWS

MTAB's e-news for local presidents offers the latest benefit and program news, which can be included in local newsletters and on social media. Members can opt in to receive MTAB's *Savin' Haven* e-news to keep on top of late-breaking deals, discounts, webinars, giveaways and special events by activating their account on the MTA Benefits website.

FAMILY MEMBERS BENEFIT, TOO!

Did you know that members can share the benefits of MTA membership with their families? Family members are eligible for most MTAB programs, significantly increasing household savings. To learn more, visit mtabenefits.com/benefits/family-members.

NEED MATERIALS FOR YOUR NEXT MEETING OR YOUR NEW MEMBERS?

Let MTAB know when your local's meetings and events are scheduled and we'll help arrange for materials to be sent to you. If you need speakers to attend or would like us to facilitate a benefits fair, call us at 800.336.0990.

QUICK FACTS/HOW TO REACH US

<p>MTA Benefits, Inc. 800.336.0990</p> <p>mtabenefits.com info@mtabenefits.com facebook.com/mtabenefits instagram.com/mtabenefits</p>	<p>MTA Benefits is a wholly owned subsidiary of the MTA. MTAB stands behind you — our MTA member. Program revenues provide benefits, service and consumer education materials for members. No member dues are ever used to market or administer MTA Benefits' programs. All programs, pricing and information described above were current at the time of publication in July 2024 and are subject to change without notice. To find out what may have changed, please contact MTAB at 800.336.0990</p>
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**MEMBERS' RIGHTS AND
REPRESENTATION**



WEINGARTEN: THE RIGHT TO REPRESENTATION

Weingarten rights guarantee an employee the right to union representation whenever an employer's investigatory interview could lead to discipline. The following Q&A was prepared by the MTA Legal Services Division to acquaint MTA members with the extent and limits of these rights.

An employee's right to have union representation in an investigatory or predisciplinary meeting was established for private-sector employees in a 1975 United States Supreme Court decision, *NLRB v. Weingarten, Inc.* The Massachusetts Department of Labor Relations has adopted the Weingarten rules for public employees covered by M.G.L. c.150E.

WHICH SITUATIONS GIVE RISE TO WEINGARTEN RIGHTS?

- Weingarten rights arise when the employer is investigating an incident or an allegation and the employee being questioned has a reasonable expectation that the investigation may result in discipline.
- An employee is entitled to union representation if the employer is investigating an employee's alleged misconduct or inadequate work performance and convenes a meeting to elicit facts or get the employee's "side of the story."
- Or, the employer may be investigating a situation in which the "wrongdoer" is unknown. If an employee believes participation in the investigation could lead to discipline, the employee is entitled to union representation.
- Weingarten rights can arise at any stage of an investigation. The employer may not have gathered any facts yet, may have some facts but not yet know whether discipline is warranted, or may have enough facts to know that some form of discipline is likely. What matters is that as soon as the employer seeks to discuss the issues or allegations with an employee who reasonably thinks discipline could be imposed as a result of the investigation, the employee is entitled to have a union representative.

WHICH SITUATIONS DO NOT GIVE RISE TO WEINGARTEN RIGHTS?

An employee is not entitled to union representation if:

- The meeting or discussion is merely for the purpose of conveying work instructions, training or needed corrections.
- The purpose of the meeting is simply to inform the employee about a disciplinary decision that has already been made and no information is sought from the employee.
- The employer has clearly and overtly assured the employee prior to the interview that no discipline or adverse consequences will result from the interview.
- The employee initiates the discussion after the employer has made it clear that the matter may have disciplinary consequences.

DO JOB PERFORMANCE REVIEWS OR EVALUATION CONFERENCES GIVE RISE TO WEINGARTEN RIGHTS?

- Arguably, yes, if the employee's performance has been under scrutiny and the employee reasonably believes their job is in jeopardy. However, the right is unlikely to apply to classroom observations.

HOW ABOUT "COUNSELING" SESSIONS WITH SUPERVISORS REGARDING ABSENTEEISM OR DRUG OR ALCOHOL PROBLEMS?

- Yes, if the employer is seeking information from the employee and has given the employee a reasonable basis for believing that discipline or termination might result from the problems under discussion.

WHAT CONSTITUTES A "REASONABLE EXPECTATION" THAT DISCIPLINE MAY RESULT?

- The test is *objective*, not *subjective*. In other words, what the employee actually and personally believes regarding the possibility of discipline is not the test. What matters is whether the employee is reasonable in believing that discipline might result. The objective facts surrounding the investigation are important. If the employer says, "You may be disciplined based on what I learn," then obviously the employee has good reason to invoke Weingarten rights. But a "reasonable expectation" that discipline could occur can arise from many other factors. Has the employer provided any oral or written warnings about the conduct in question? Is the employer investigating specific allegations of misconduct? Has the employee been under scrutiny previously? Have other employees been disciplined for conduct similar to that being investigated at this meeting?
- If the employer states that no discipline will result from the meeting or investigation for the employee being questioned, then the employee does not have a right to union representation. But then, of course, the employer cannot impose discipline, regardless of what it learns. Imposition of discipline following such a promise is an unfair labor practice.

WHAT IF THE EMPLOYER STATES THAT A DISCIPLINARY DECISION ALREADY HAS BEEN MADE, BUT THEN BEGINS TO QUESTION THE EMPLOYEE ABOUT THEIR CONDUCT?

- The cases are unclear on this situation. We recommend that employees ask for representation at any point in the meeting when the employer solicits information from them. Seeking such information suggests that the employer is trying to support or possibly alter its disciplinary decision, which would give rise to Weingarten rights.

DOES THE LOCATION OF THE INTERVIEW MATTER?

- No. Whether the questioning is in the superintendent's office or in the hallway, the employee is entitled to union representation if the questioning could reasonably lead to discipline.

DOES THE EMPLOYER HAVE TO INFORM THE EMPLOYEE ABOUT WEINGARTEN RIGHTS BEFORE CONDUCTING THE MEETING OR INTERVIEW?

- No. Employees must know their own rights and ask for union representation.

HOW AND WHEN SHOULD AN EMPLOYEE REQUEST REPRESENTATION?

- As soon as the employee becomes aware, or reasonably believes, that the employer is seeking information that may result in discipline or that is intended to support a disciplinary decision, the employee should simply state the desire to have a union representative present.
- The request does not have to be in any particular form, nor does it have to be in writing. Even a question such as, "Shouldn't I have a representative here?" is enough to trigger the employer's Weingarten obligations.
- The employee can make the request at any time before or during the meeting. (However, the employer will be permitted to use any information obtained before the request has been made, as long as the employer provides Weingarten rights promptly upon the employee's request.)

WHAT MUST THE EMPLOYER DO WHEN AN EMPLOYEE HAS REQUESTED UNION REPRESENTATION?

- The employer cannot proceed with the interview at that point. It must either stop the meeting until the representative arrives and has had a chance to consult privately with the employee or postpone the meeting until another day when union representation is possible. The employer can also decide to forgo the interview entirely.

WHAT SHOULD EMPLOYEES DO IF THEY ARE UNSURE WHETHER A PARTICULAR MEETING CALLS FOR WEINGARTEN RIGHTS?

- When in doubt, speak up. There is no harm in asking for union representation. The employer cannot discipline an employee simply for asking. An employee should also feel comfortable asking whether the meeting could result in disciplinary action. If the answer is anything but "no," the employee would be reasonable in asking for representation.
- **Cautionary Note:** An employee may not be protected by refusing to participate in a meeting that is subsequently found to lack Weingarten status. Therefore, we recommend that employees consult with their association representatives for advice about their rights any time they are called to a meeting with the employer.

IF THE EMPLOYER INSISTS THAT THE MEETING CONTINUE WITHOUT A REPRESENTATIVE, MAY THE EMPLOYEE REFUSE TO ANSWER QUESTIONS OR EVEN LEAVE THE MEETING?

- Arguably, yes. An employer cannot discipline or discharge an employee for refusing to surrender Weingarten rights to representation. If it is truly a Weingarten situation, the employee may remain silent or even leave and return to normal work duties.
- However, given the complexity and unpredictability of the law, it is often prudent for the employee to comply with the employer's directives, knowing they might later be able to overturn any discipline that results from the unlawful meeting. Otherwise, the employee risks being disciplined for insubordination.

CAN THE EMPLOYEE INSIST ON A PARTICULAR REPRESENTATIVE? DOES IT HAVE TO BE AN ASSOCIATION REPRESENTATIVE?

- The employee may choose a preferred representative, whether it is a union official or another employee, as long as the choice does not unduly disrupt the employer's ability to conduct the investigation. In practice, this usually means that the employer should try to comply with the employee's request, even if it means some delay in scheduling the meeting.
- On the other hand, the employee can't expect the employer to postpone the meeting unreasonably. The reasonableness of either the employer's or the employee's behavior can only be measured on a case-by-case basis.

DOES THE EMPLOYER HAVE TO GIVE RELEASE TIME TO THE REPRESENTATIVE REQUESTED BY THE EMPLOYEE?

- The general rule is that the employee may choose a representative if that person is “available.” If the interview or meeting is scheduled sufficiently in advance that the representative can meet with the employee on off-duty time, then they will be required to do so. Of course, the local collective bargaining agreement may also provide for release time in these situations.
- If off-duty consultation is not possible, the employer must provide release time to the representative who is on the premises unless the employer can establish some overriding management need that would preclude doing so.

IF AN EMPLOYER HAS PROVIDED ALL THE NECESSARY WEINGARTEN RIGHTS, MAY AN EMPLOYEE REFUSE TO ANSWER QUESTIONS?

- No, unless the matter under discussion has criminal implications. Generally, an employee does not have the right to remain silent, as long as their representational rights have been honored; nor may the association representative direct the employee to remain silent.
- **Important Note:** A public school employer is a branch of government to whom the Fifth Amendment to the U.S. Constitution applies. If the employer’s questions concern matters that could lead to criminal liability for the employee, the employee has a right to remain silent. It is important to have legal representation in these circumstances.

WHAT ARE THE REPRESENTATIVE’S ROLE, RIGHTS AND DUTIES AT A WEINGARTEN MEETING?

While Weingarten meetings are not “bargaining sessions,” the association representative may insist on the right to:

- Be informed about the subject matter of the meeting.
- Consult privately with the employee before the meeting.
- Speak and be proactive during the interview, as long as doing so does not interfere with or disrupt the meeting.
- Advise and counsel the employee.
- Provide additional information to the employer at the end of questioning.
- Bear witness to the proceedings and take notes.

CAN AN EMPLOYEE “WAIVE” WEINGARTEN RIGHTS? HOW?

- Yes. If an employee does not affirmatively ask for representation, their rights will be considered “waived.” However, as noted earlier, the request for representation does not involve any “magic words.”
- If the employer claims that the employee chose to continue the interview without representation, the employer must demonstrate that the choice was voluntary, clear and unmistakable. For example, if the employee elected to go forward without a representative only after the employer told him, “Things will be worse for you if you insist on having the association present,” then the choice would not be deemed “voluntary.”

WHAT REMEDY IS AVAILABLE FOR VIOLATION OF WEINGARTEN RIGHTS?

- An employer commits a prohibited practice under Chapter 150E if the employer (1) refuses an employee’s request for representation during an investigatory or disciplinary meeting or otherwise withholds the full panoply of Weingarten rights; (2) disciplines an employee for asserting Weingarten rights; (3) threatens or coerces an employee exercising Weingarten rights; or (4) threatens or disciplines an association representative for assisting an employee in a Weingarten meeting.
- The state Department of Labor Relations will order the employer to rescind any retaliatory threats or discipline imposed because an employee or association representative exercised Weingarten rights. Moreover, if the commission finds that the discipline ultimately imposed by the employer was affected by the information obtained at the unlawful meeting, or was affected by the fact that no association representative was present, then the commission will also order that discipline rescinded. The commission will also order the employer to post a notice of the violation.
- Arguably, information obtained at a meeting in violation of Weingarten rights should be excluded from any eventual discharge or discipline arbitration.

“JUST CAUSE” AND “GOOD CAUSE”

The terms “just cause” and “good cause” are used as a standard for various personnel actions (e.g., dismissal, discipline, demotion, transfer) in collective bargaining agreements, in the teacher dismissal statute and other employment statutes, and in individual employee contracts and personnel handbooks. The meaning and application of “just cause” and “good cause” depend on whether the case arises under a CBA or under a statute.

Many of our MTA affiliates have negotiated “just cause” (or a similar phrase) into their CBAs, thus requiring that the employer prove grounds for imposing discipline or for depriving an employee of a professional privilege or advantage. (Contractual arbitrators have historically interpreted “just cause,” “good cause,” “fair cause” or simply “cause” to be synonymous.)

The employer always has the burden of proving that it conducted a proper investigation and that the employee was “guilty as charged.” This is basic due process. In addition, however, “just cause” adds notions of workplace fairness beyond due process, such as:

- Whether the employer used progressive discipline, if appropriate, in disciplining the employee.
- The proportionality of the penalty to the infraction proven.
- Whether the employer evenhandedly used its authority or singled out the disciplined employee.
- Whether the rules, expectations and possible penalties were reasonably clear.
- The employee’s own personnel record; and
- The role the employer may have played, whether through malfeasance or nonfeasance, in bringing about the circumstances leading to discipline.

Several employee dismissal statutes also use the terms “just cause” or “good cause,” including the teacher dismissal law (G.L. c. 71, § 42) and the Civil Service law (G.L. c. 31). In interpreting their statutory meaning, the courts have put a different gloss on these terms. The employer still must meet its burden of proving that it conducted a proper investigation and that the employee committed the infraction leading to dismissal.

CONTRACT ENFORCEMENT

INTRODUCTION

Contracts are enforced through the grievance procedure. Grievance processing is a quasi-legal process. Local associations should consult with their assigned MTA field representatives prior to filing a grievance to discuss whether the contract has been violated. The field representative will continue to work with the local to assist with grievance processing and to discuss with the local what organizing opportunities may exist for a particular grievance. Organizing can be an effective tool prior to filing and after a grievance is filed by the local.

Local associations have a legal responsibility to represent members whose contractual rights have been violated. Failure to properly investigate claims and process legitimate grievances, up to and including arbitration, may result in charges of failure to represent being filed against the association at the Department of Labor Relations (DLR).

The following pages of this section will provide you with information you need to understand in order to enforce your contract.

WHAT IS THE DEFINITION OF A GRIEVANCE?

A grievance is that which the parties to a particular collective bargaining agreement say it is. Some contracts define grievances very specifically as a violation, misinterpretation or a misapplication of the contract. Other contracts may have a broader definition, such as a violation, misinterpretation or misapplication of the terms of the contract and/or rules, regulations and policies that pertain to wages, hours and working conditions.

WHAT IS THE PURPOSE OF THE GRIEVANCE PROCEDURE?

The purpose of the grievance procedure is to ensure that the negotiated provisions of the contract are adhered to by the employer. Most grievance procedures state that the purpose of the step process is to settle disputes at the lowest possible level. An offer of compromise does not prejudice either side's position if the case is not settled and ultimately goes to arbitration. An offer of compromise is not admissible in arbitration. Sometimes a settlement can be fashioned in such a way that it will settle the issue at hand and not be precedent-setting in future cases of a similar nature. The settlement of a grievance can only be made by the parties that negotiated the contract.

WHAT IS ARBITRATION?

Arbitration is the final step in the grievance procedure. If the parties are unable to settle a dispute, an arbitrator is selected from either the American Arbitration Association or the state Department of Labor Relations to hear the case, render a decision on the merits of the case and issue a remedy. The arbitrator's decision is final and binding on the parties, although sometimes an employer will appeal an arbitrator's award to the courts, arguing that the arbitrator exceeded their authority under the law in rendering a particular decision. Arbitration can be costly, and it can take from three to six months for an award to be issued. It can take longer if the employer appeals the arbitrator's decision.

WHAT IS THE ROLE OF THE GRIEVANCE COMMITTEE?

The grievance committee of the local association is responsible for the following:

- Advising members of their contractual rights.
- Reviewing school committee policies and monitoring policy changes for conflicts with the contract.
- Determining the merit of grievances in consultation with the assigned MTA field representative.
- Investigating grievance claims with an open mind.
- Initiating and processing grievances in accordance with the time limits set forth in the procedure.
- Notifying any parties at interest that a grievance may impact them.
- Involving as many members as possible in the grievance process.
- Ensuring that there is an appeals process in place in the association for members to appeal a decision of the grievance committee not to pursue a grievance.
- Keeping the grievant informed of the progress of the grievance.
- Collecting all documents and information related to the grievance and keeping accurate records and notes of meetings.

WHAT ARE THE CARDINAL RULES OF GRIEVANCE PROCESSING?

- Defend — do not judge. Members pay dues to be protected, not attacked, by their own association.
- Work — then grieve. It is easier to grieve an unsatisfactory work order than to recover a job if the employee is insubordinate. Exceptions to this are orders that are illegal and would jeopardize the health or safety of an employee.

- Never miss the time limits. It is unforgivable to lose a grievance because the time limits have passed.
- Make sure that all extensions of the time limits are agreed to with the employer in writing.
- Move the grievance through the process even if the employer does not respond in a timely fashion.
- Save everything even remotely related to the case.
- Communications with the employer should be in writing, and written responses should be requested from the employer.

WHAT SHOULD BE ASKED IN THE INITIAL FACT-FINDING ON A COMPLAINT?

- Who are the people involved in the incident?
- What provisions of the contract are involved?
- When did the incident occur?
- Where is the appropriate level to begin the grievance?
- Why did it occur?
- How is the member affected? How are other members of the association impacted? How have such matters been resolved in the past?
- How can we involve members in the process?

Remember to keep members apprised of grievances as the union works on grievance issues.

WHAT SHOULD THE GRIEVANCE COMMITTEE REMEMBER WHEN PROCESSING GRIEVANCES?

- All grievances must be processed in good faith.
- All grievants must be treated in a fair and consistent manner.
- Decisions not to pursue a grievance at any level cannot be arbitrary or discriminatory.
- Decisions not to pursue a grievance should be based on the merits of the case and the total impact on the contract.
- The association should attempt to seek a fair settlement prior to arbitration, as long as the settlement is consistent, fair, nondiscriminatory and in good faith.
- The association may exercise discretion in the settlement of a grievance.
- The processing of a grievance should be fully documented and recorded so that when a grievance is dropped or settled, the good-faith basis for the decision is evident.
- Always involve your assigned MTA field representative when processing a grievance.

WHAT ARE THE POLICIES OF THE ASSOCIATION?

Every association should establish a written policy concerning grievance processing so that the members and the association will know what to do when a grievance is to be processed. The policy should address the following questions:

- Who is responsible for detecting violations of the contract?
- What is the role of the building/faculty representative in the grievance process?
- Who is responsible for writing and filing the individual's grievance?
- Who is responsible for writing and filing a group or association grievance?
- Who determines whether the association should file a grievance in its name?
- Who determines the level of assistance given to the grievant at each level?
- Who decides whether a grievance goes to arbitration?
- How are denials of representation and appeals handled?
- How are members informed of the results of a grievance?

THE DUTY OF FAIR REPRESENTATION

Since it speaks for all employees, the association is obliged to fairly represent all employees in the bargaining unit. This obligation is imposed by the public-sector collective bargaining law.

It is a prohibited practice under the law for an association to refuse to fairly represent a bargaining unit member in a matter involving the contract.

An association breaches its duty of fair representation when the association's conduct would be judged to be arbitrary or discriminatory toward a member of the collective bargaining unit. Subject to these criteria, an association is afforded substantial

discretion in negotiations and in the processing of grievances. The association must protect the interests of the group as a whole, as well as individual interests, and must reconcile conflicts fairly. An association does not breach its duty of fair representation merely because it is wrong or because it fails to satisfy everyone it represents.

THIS “DUTY OF FAIR REPRESENTATION” EXISTS:

- During collective bargaining for initial and successor agreements.
- During the life of the contract, including the resolution of disputes and the processing of grievances.
- When deciding whether to arbitrate and while conducting the arbitration.

The association has no duty of fair representation in matters that are unrelated to the collective bargaining context. For instance, an association is not obligated to provide advice or services regarding disputes involving the law other than the contract. An example of this is a member who comes to the association believing they have been the victim of sex discrimination at work. The issue is whether this is simply a statutory claim or whether there is any claim based on the contract. The association does not have an obligation to process statutory issues. Any association representative confronting this level of complexity should consult with the assigned field representative.

The role of an employee organization is not to put its members on trial, but to defend and protect them. Management can take care of itself, and the association takes on management’s role at the peril of its members and the profession.

An association has considerable latitude in the processing of grievances and other aspects of contract administration. However, an association must consider and weigh in good faith all of the following criteria in deciding whether to proceed to arbitration on a grievance:

1. The effect of the breach on the employee.
2. The effect of the breach on the contract.
3. The likelihood of success in arbitration.

Failure to make a considered decision in these situations may give rise to a claim that the association has breached its duty of fair representation.

A decision not to arbitrate based solely on the cost to the association without regard to the merits of the grievance, for example, might be arbitrary and, therefore, a breach of the association’s duty of fair representation.

Before reaching a decision not to arbitrate, the association must review and weigh all of the circumstances. It would be advisable to keep a sufficient record of the decision-making process (e.g., the record in the minutes of the Executive Committee) in the event that the association’s decision is challenged.

Loss of pay (suspension, nonrenewal, discharge): If the member proves that the association violated the duty of fair representation by refusing to arbitrate and if the Massachusetts Department of Labor Relations examiner also concludes that the member would have prevailed on the merits of the grievance, the association may be responsible for any back pay.

However, the duty to fairly represent is based on common sense — the association is given wide latitude to conduct its business as long as all employees in the unit are fairly treated.

DEPENDING ON THE FACTS, EXAMPLES OF ARBITRARY OR PERFUNCTORY ASSOCIATION CONDUCT MIGHT INCLUDE:

- Deliberate lying.
- Ignoring a clearly meritorious grievance.
- Failure to investigate or consider the merits of the grievance.
- Failure to gather favorable evidence once the association decides to process a grievance.
- Having a decision made by people who have a conflict of interest.
- Making an inadequate attempt at gathering evidence on behalf of the grievant or at rebutting the employer’s arguments.
- Extreme negligence in investigating, extreme passivity in presenting the case.
- Perfunctory handling of an arbitration case that omits any factual proof of the grievant’s position.
- Inexcusable failure to make a decision whether or not to advance a grievance to arbitration in accordance with contractual time limits.
- Inexcusable failure to notify the grievant of a decision not to arbitrate in time for the grievant to advocate a different approach or to pursue other remedies if any are available.
- Decisions based simply on race, gender, sexual preference or age, rather than on the merits.

- Refusal to process the grievances of non-members simply because they are not members.
- Refusal to process grievances of members for the sole reason that they have criticized the association or filed charges against the association.

FACTORS THAT CAN LEGITIMATELY ENTER INTO DECISION-MAKING MIGHT INCLUDE:

- Effect on other members of the unit — monetary or otherwise.
- Relative importance of the principle (what might be of great import to one member might be less important in the unit's "big picture").
- Trade-off at the bargaining table or in settling grievances.
- Merits of grievance.

CHECKLIST FOR HANDLING GRIEVANCES AT THE INITIAL STEP**I. THE GRIEVANCE**

- Listen to grievant's story.
- Ask questions.
- Don't personalize the issues.
- Take notes; keep a record.
- Get names, dates, times.
- Refer to section of the contract allegedly violated.
- Identify remedy desired.
- Repeat grievance in your own words to grievant.
- Consider asking members to sign the grievance with the grievant where applicable.

II. GET THE FACTS

- Check the association contract.
- Check time limits.
- Check grievability.
- Check the experience of other employees in similar cases.
- Seek advice, if necessary.
- Investigate facts and records of others involved.
- Analyze the impact on other bargaining unit members.
- In deciding, give benefit of the doubt to the association.

III. PRESENTING THE GRIEVANCE

- Settle the grievance as soon as possible, if settlement can be achieved.
- Write a simple statement of the situation, and conclude with the remedy being sought.
- Explain your position orally to the administrators.
- If the grievance is denied, appeal within the timelines and keep the association member informed of the progress of the case.
- Consider inviting members to the various levels of the grievance presentation with management as a show of solidarity.

SAMPLE GRIEVANCE STATEMENT

WHEN & WHO	On or about April 15, 2022, Mr. Smith, principal at
WHERE & WHO	Bedlam Junior High School, ordered Mr. Jones
WHAT	to cover a class of another teacher who was absent that day, thereby depriving him of his duty-free lunch period.
HOW	Therefore, in accordance with ARTICLE II (grievance procedure) of the (authority) current agreement between the Association and the Board, the Association, on behalf of Mr. Jones, submits the above matter as a grievance.
RULE	The Association contends that the action of the school principal described (contract violation) above is in violation of ARTICLES IV; VII; XXII and other articles relevant to the instant matter. Further, the Association contends that the matter involves an
ISSUE	administrative decision affecting Mr. Jones' terms and conditions of employment (what or who) as set forth in ARTICLE II.

REMEDIES SOUGHT

WHAT IS THE REMEDY (COMPENSATION)?

1. That Mr. Jones be compensated for the extra assignment at the rate specified in ARTICLE XXII, paragraph B.
2. That in the future, the principal refrain from assigning teachers during their duty-free lunch periods.

NEGOTIATIONS AND ORGANIZING SUPPORT

Your Field Representative/Organizer is your main support for negotiations - successor negotiations, interim negotiations, impact bargaining - and organizing campaigns to build power to win strong agreements. MTA's Bargaining Campaign and Strategy Team (BCST) supports you, your members and MTA field staff with the following:

THE MTA BARGAINING CERTIFICATE PROGRAM

The MTA is committed to supporting the development of highly effective negotiators and organizers to win strong contracts for MTA members in PreK-12 and higher education. The Bargaining Certificate Program provides an opportunity for beginner negotiators to develop their skills and knowledge, while deepening and broadening the proficiency of seasoned bargainers in advanced negotiation issues. With an emphasis on democratized bargaining approaches, the certificate also provides an opportunity for participants to share strategies and tactics that build bargaining power. To obtain the certificate, participants complete approximately 24 hours of training, with half of those hours in our two core courses (Bargaining Foundations and Democratized Bargaining), and half in four elective courses based on the participants' interests and needs. Courses are offered at MTA's statewide, in-person conferences (such as the Summer Conference and Winter Union Skills Conference) and online throughout the year.

For more information, go to www.massteacher.org/bargainingcertificate.

BARGAINING DATABASES AND TOOLS

The BCST has developed several databases and tools to assist field staff and local leaders with negotiations. The BCST is currently providing the following:

- The Contract Database. This database holds local contracts, in preK-12 and higher ed, for the use of MTA locals and staff. It contains a sophisticated search function to facilitate research.
- The Municipal and School Finance Database. The municipal and school finance database auto-generates reports related to municipal financial indicators. These indicators provide preK-12 locals with important information to assess an employer's ability to pay.
- The Teacher Salary portal. The teacher salary portal includes all teacher salary schedules across the state, going back to 2018. The portal allows for easy comparison of salary schedules, salary benchmarks, career earnings and other information instructive for salary schedule restructuring. It also provides downloadable schedules and settlement pattern data.

See below on how to access these databases.

STRATEGIC RESEARCH AND LOCAL AND REGIONAL SUPPORT

The BCST is increasing its capacity to provide strategic research to field staff and, at times, directly to locals on myriad negotiation issues with an emphasis on democratized bargaining. This includes information and support for escalating contract campaigns, health insurance, 403(b) plans, educator evaluation, health and welfare trusts, compensation analysis and restructuring, municipal and school finance, racial and social justice, health and safety, bargaining for the common good and contractual leave benefits. The BCST also works with field staff to provide support to nascent and established Bargaining Councils and coordinated bargaining efforts across the state.

HEALTH INSURANCE CONSULTING

The BCST provides expert advice, analysis and training on health insurance issues. Typically, the BCST advice is provided through your MTA Field Representative-Organizer. However, there may be times when the BCST provides direct assistance to locals. Because the process to make changes to health plan designs may occur rapidly, it is essential that you contact your MTA Field Representative/Organizer as soon as possible so they can review your situation with the BCST to determine the best way to support your local.

HOW TO ACCESS THE BCST DATABASES

All BCST Databases can be accessed at www.mta-contracts.org. Because the BCST databases contain proprietary information and are the sole property of the Massachusetts Teachers Association, the information is carefully guarded and is available only by following these established procedures.

For the Contract Database and Municipal and School Finance Database:

1. Requests for passwords, and renewal of passwords, must be made by local association presidents. A local president may request up to four (4) accounts for members of each bargaining unit. Presidents make this request by emailing the Field and Organizing Coordinator, with a copy sent to the local's assigned Field Representative/Organizer.
2. Once a designated member has the password, they then register online by clicking on the registration link at www.mta-contracts.org.
3. Users will receive an email confirmation with a record of their information once the Field and Organizing Coordinator confirms the request with the local president or the Field Representative/Organizer.
4. No password will be valid for more than one year. All passwords, regardless of when they are issued, will expire on June 30 of each year at which time users must renew their registration.
5. Alternately, a member can go to www.mta-contracts.org and click on the "Register as a new user" button and we will check your credentials before confirming your account.

SALARY PORTAL

1. This is actually an NEA database that is linked to our database website.
2. When you register for the MTA databases above, we will sign you into the Salary Portal automatically and you will receive an email from the Salary Portal with additional instructions.

FINANCIAL ISSUES



POLICY GUIDELINES FOR MTA SUPPORT OF LOCAL ASSOCIATIONS

PURPOSE

To help defray a portion of the administrative costs of operating a local union affiliate.

RULES FOR OPERATION

1. a. Each local association, or each group of local associations, requesting MTA support shall make available to MTA a record of expenses for the current fiscal year in the categories for which support is requested.
- b. For expenses submitted in excess of \$100, receipts or other supporting documentation should be maintained by local associations and made available to the MTA upon request. In addition to the Audit Certificate that is required to be filed by September 30, all locals requesting support should also submit a quarterly Income Statement (financial statement showing incomes and expenses) for the quarter just ended.
2. Categories of support are limited to the following:
 - Office expenses:** rent, telephone, utilities, equipment, office supplies, postage, printing, insurance, paper, clerical services, payroll taxes and audit costs.
 - Compensation:** local officers, committee chairs and committee members.
 - Conferences:** registration fees at MTA-approved conferences and hotel room costs for MTA Annual Meeting of Delegates (as advertised by the MTA).
 - NEW:** Any costs associated with, but not limited to, accessibility improvements including CART services and interpreting, as well as technology services such as ZOOM and other electronic services. Please see newly amended Policy 140.50.
3. The MTA and the local association, or the group of local associations, shall enter into a written agreement covering the categories of support and the association(s) shall annually certify that the financial statements have been audited or reviewed.
4. a. The local association shall submit requests for reimbursement on a quarterly basis, and shall certify the amount of local dues for the succeeding fiscal year on or before September 30.
- b. **SUPPORT REQUESTS SHOULD BE SUBMITTED WITHIN 30 DAYS OF THE CLOSE OF MTA'S FISCAL QUARTER. ANY OTHER REQUESTS FOR SUPPORT RELATED TO THE FISCAL YEAR ENDING JUNE 30 POSTMARKED AFTER JULY 15 OR THE NEXT REGULAR BUSINESS DAY WILL NOT BE HONORED.**
5. a. Members should be reported on a full-time-equivalent basis in accordance with the percentage of MTA's active dues paid.
- b. Maximum reimbursements should be calculated based on full-time equivalents.
- c. The amount of quarterly reimbursement for local support shall be based on the current year's membership at the close of each fiscal quarter.

FUNDING

Local associations may be reimbursed for 50 percent of the expenses incurred up to the maximums set forth in the following reimbursement schedules:

100 PERCENT OF ACTIVE MTA DUES

(Professionals including teachers, faculty, administrators, guidance counselors and nurses)

<u>LOCAL DUES</u>	<u>REIMBURSEMENT</u>
Less than \$30	\$5 per member
\$30 - \$44.99	\$10 per member
\$45 - \$59.99	\$15 per member
\$60 - \$79.99	\$20 per member
\$80 or more	\$25 per member

60 PERCENT OF ACTIVE MTA DUES

(Education support professionals, including secretaries, clerks, custodians and higher education ESPs)

<u>LOCAL DUES</u>	<u>REIMBURSEMENT</u>
Less than \$18	\$3 per member
\$18 - \$26.99	\$6 per member
\$27 - \$35.99	\$9 per member
\$36 - \$47.99	\$12 per member
\$48 or more	\$15 per member

30 PERCENT OF ACTIVE MTA DUES

(Education support professionals, including paraprofessionals, cafeteria workers, bus drivers and other ESPs)

<u>LOCAL DUES</u>	<u>REIMBURSEMENT</u>
Less than \$9	\$2 per member
\$9 - \$13.49	\$3 per member
\$13.50 - \$17.99	\$5 per member
\$18 - \$23.99	\$7 per member
\$24 or more	\$8 per member

Members should be categorized according to the schedule for the percentage of MTA active dues paid when local association support worksheets are prepared.

The amount of funding provided to each local shall be reduced proportionately, if less than the total amount of projected program costs, as requested in the proposed budget, is included in the budget adopted by the Annual Meeting of Delegates.

Local support payments shall be paid to local associations only if dues payments are remitted in accordance with the MTA Bylaws, Article IV, Section 3.

MTA FINANCE & ACCOUNTING MEMO ON REIMBURSEMENT FORMS

AUGUST 1, 2024

MEMORANDUM

TO: LOCAL ASSOCIATION TREASURERS

**FROM: BETH EVERS
CHIEF FINANCIAL OFFICER**

SUBJECT: REIMBURSEMENT FORMS FOR LOCAL SUPPORT PROGRAM

SAMPLE

Enclosed are copies of the forms to be used for each quarter in requesting reimbursement under the MTA Local Support Program during 2024-2025. Please use these forms when you submit quarterly expenses.

The GUIDELINES require that locals submit requests for reimbursement on a quarterly basis. The administrative procedures suggest that requests be submitted within thirty (30) days of the end of MTA's fiscal quarters. Due dates are October 30, January 30, April 30 and July 15. **ANY OTHER REQUEST FOR SUPPORT RELATED TO THE FISCAL YEAR ENDING JUNE 30 POSTMARKED AFTER JULY 15 OR THE NEXT REGULAR BUSINESS DAY WILL NOT BE HONORED.**

It should also be noted that reimbursement checks will be withheld if dues payments have not been forwarded to the MTA in accordance with the bylaws and your payroll deduction schedule. Also, payment will be withheld if a quarterly income statement does not accompany the request.

Copies of the GUIDELINES and the Administrative Interpretation and Procedures, which have been previously provided, are again included for your information.

If you have any questions, please call Jonah Kaitz at 800-392-6175, ext. 8225 or email localofficesupport@massteacher.org.

MTA FINANCE & ACCOUNTING MEMO ON THE LOCAL SUPPORT PROGRAM

AUGUST 1, 2024

MEMORANDUM

TO: LOCAL ASSOCIATION TREASURERS

**FROM: BETH EVERS
CHIEF FINANCIAL OFFICER**

SUBJECT: LOCAL SUPPORT PROGRAM

SAMPLE

Your attention is called to the Rules of Operations, Guidelines for MTA Support of Local Associations, which read, "The Local Association shall certify 1) the amount of local dues for the succeeding fiscal year and 2) that the financial statements of the local have been audited or reviewed." This certificate must be completed on or before September 30.

In order to meet this requirement, it is only necessary for you to complete the following certificate and mail it to the MTA, Division of Finance and Accounting, 2 Heritage Drive, 8th Floor, Quincy, MA 02171-2119.

I hereby certify the local dues for _____ for 2024-2025 are:
(Name of Local Association)

PROFESSIONALS (including teachers, faculty, administrators, guidance counselors and nurses)	\$ _____
SECRETARIES / CLERKS	\$ _____
CUSTODIANS	\$ _____
HIGHER EDUCATION ESPS	\$ _____
PARAPROFESSIONALS	\$ _____
CAFETERIA WORKERS	\$ _____
BUS DRIVERS	\$ _____
OTHER EDUCATION SUPPORT PROFESSIONALS	\$ _____

I also certify that the financial statements of the local were last audited or reviewed on _____
(Date)

by _____
(Name of Auditor or Person Reviewing Statements)

(President or Treasurer)

(Date)

2024–2025 AGREEMENT

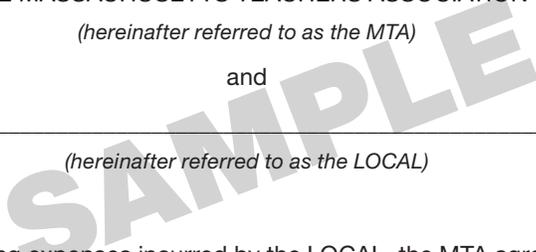
in accordance with the
Guidelines for MTA Support of Local Associations

between

THE MASSACHUSETTS TEACHERS ASSOCIATION
(hereinafter referred to as the MTA)

and

(hereinafter referred to as the LOCAL)



In order to help defray part of the operating expenses incurred by the LOCAL, the MTA agrees to provide support to the LOCAL in the agreed-upon categories according to the attached schedule.

The MTA will provide support up to an amount that is equivalent to 50 percent of the total expenses incurred, provided, however, that the amount of support shall not exceed the reimbursement per member set forth in the Local Support Guidelines.

The LOCAL shall transmit to the MTA a record of its actual expenses for the quarterly periods ending September 30, 2024, December 31, 2024, March 31, 2025, and June 30, 2025. **Expenses each quarter must be submitted within 30 days of the end of the quarter and must be accompanied by a quarterly income statement. Any other requests for support related to the fiscal year ending June 30 postmarked after July 15 or the next regular business day will not be honored.** The MTA agrees to reimburse the LOCAL within 30 days of receipt of its expenses provided the LOCAL has transmitted dues in accordance with the MTA Bylaws.

The LOCAL agrees to certify the amount of local dues for the succeeding year on or before September 30. The LOCAL also agrees to certify that the financial statements have been audited or reviewed. The MTA reserves the right to audit the LOCAL's records in the event MTA deems it necessary.

The terms of this Agreement shall be from July 1, 2024, through June 30, 2025.

This Agreement may be terminated by the MTA with 30 days' written notice should the LOCAL fail to comply with any of the provisions of this Agreement and/or the MTA Bylaws.

(For the LOCAL)

(For MTA)

(Date)

MTA LOCAL ASSOCIATION SUPPORT PROGRAM • SECOND QUARTER (OCTOBER–DECEMBER)

INSTRUCTIONS: Please complete only the highlighted fields. Totals will automatically calculate. Return the completed form along with your financial income statement(s) for the quarter to localofficesupport@massteacher.org, or send via regular mail to MTA Finance & Accounting, Attn: Local Office Support, 2 Heritage Drive, 8th Floor, Quincy, MA 02171-2119.

LOCAL:	DATE:
ADDRESS:	TREASURER:
CITY, STATE, ZIP:	TELEPHONE:

EXPENSE SUMMARY	OCTOBER	NOVEMBER	DECEMBER	TOTAL
AUDIT COSTS	\$	\$	\$	\$
CLERICAL SERVICES	\$	\$	\$	\$
COMPENSATION - COMMITTEE MEMBERS	\$	\$	\$	\$
COMPENSATION - OFFICERS	\$	\$	\$	\$
EQUIPMENT	\$	\$	\$	\$
HOTEL ROOM COSTS (MTA ANNUAL MEETING ONLY)	\$	\$	\$	\$
INSURANCE	\$	\$	\$	\$
OFFICE SUPPLIES	\$	\$	\$	\$
PAPER	\$	\$	\$	\$
PAYROLL TAXES/FEEES	\$	\$	\$	\$
POSTAGE	\$	\$	\$	\$
PRINTING	\$	\$	\$	\$
REGISTRATION FEES (MTA APPROVED/SPONSORED CONFERENCES)	\$	\$	\$	\$
RENT (OFFICE/STORAGE SPACE)	\$	\$	\$	\$
TELEPHONE	\$	\$	\$	\$
UTILITIES	\$	\$	\$	\$
ACCESSIBILITY EXPENSES	\$	\$	\$	\$
TECHNOLOGY SERVICES	\$	\$	\$	\$
TOTALS	\$	\$	\$	\$
FIFTY PERCENT OF TOTAL EXPENSES				A:
				\$

LOCAL DUES	AMOUNT
TEACHERS / FACULTY / COUNSELORS / NURSES:	
SECRETARIES / CLERKS / CUSTODIANS:	
PARAS / CAFETERIA / BUS DRIVERS / OTHER ESP:	

LOS RECEIVED	AMOUNT
JULY–SEPT	
OCT–DEC	
JAN–MARCH	
APRIL–JUNE	
TOTAL	
MAXIMUM PAID?	

(1) NUMBER OF FTE* TEACHERS / FACULTY / COUNSELORS / NURSES:		
LOCAL DUES	PER MEMBER AMOUNT	TOTAL (1A)
LOCAL DUES LESS THAN \$30.00	\$5.00	
LOCAL DUES \$30.00–\$44.99	\$10.00	
LOCAL DUES \$45.00–\$59.99	\$15.00	
LOCAL DUES \$60.00–\$79.99	\$20.00	
LOCAL DUES \$80.00 OR MORE	\$25.00	

(2) NUMBER OF FTE* SECRETARIES / CLERKS / CUSTODIANS:		
LOCAL DUES	PER MEMBER AMOUNT	TOTAL (2A)
LOCAL DUES LESS THAN \$18.00	\$3.00	
LOCAL DUES \$18.00–\$26.99	\$6.00	
LOCAL DUES \$27.00–\$35.99	\$9.00	
LOCAL DUES \$36.00–\$47.99	\$12.00	
LOCAL DUES \$48.00 OR MORE	\$15.00	

(3) NUMBER OF FTE* PARAS / CAFETERIA / BUS DRIVERS / OTHER ESP:		
LOCAL DUES	PER MEMBER AMOUNT	TOTAL (3A)
LOCAL DUES LESS THAN \$9.00	\$2.00	
LOCAL DUES \$9.00 - \$13.49	\$3.00	
LOCAL DUES \$13.50 - \$17.99	\$5.00	
LOCAL DUES \$18.00 - \$23.99	\$7.00	
LOCAL DUES \$24.00 OR MORE	\$8.00	

TOTAL ANNUAL MTA LOCAL OFFICE SUPPORT ENTITLEMENT (1A+2A+3A):

QUARTERLY MTA LOCAL OFFICE SUPPORT REIMBURSEMENT (SMALLER OF A OR B):

LIMITING LIABILITY THROUGH INCORPORATION AND INSURANCE

The following information, prepared by the MTA Division of Legal Services, outlines the ways to limit liability through incorporation and insurance for the activities of the association and its agents (officers, directors and employees).

This memo explains the following points and what MTA and MTA Benefits will do to assist your local.

1. Your local should be incorporated.
2. We recommend that you have Workers' Compensation insurance in all cases where your officers are paid — whether by direct compensation (salary or stipend) or indirectly by dues forgiveness.
3. We recommend that you consult with Educators Insurance Agency to determine whether your local should have property insurance (888.908.6822).

Insurance is a reimbursable expense under the MTA Local Support Policy. Email localofficesupport@massteacher.org on your local entitlement for this item's reimbursement.

INCORPORATION

Local associations should be incorporated.

By incorporating, a local association can protect the officers and directors from personal liability for the acts of the corporation.

The process of incorporating involves filing articles of organization and bylaws with the Commonwealth's Secretary of State, along with a fee of \$35. Thereafter, an incorporated local must file an annual report with the Secretary of State, along with a \$15 fee. Annual Reports are due each November 1. MTA's Legal Services Division sends an annual reminder to your local association.

MTA Legal Services assists locals in filing for incorporation with the Secretary of State. Contact your field representative, who will assist you in filing a request for these legal services.

INSURANCE

Though incorporating a local association will generally protect the officers and directors from personal liability for the acts of the corporation, the corporation's assets remain at risk in an unlimited array of circumstances. A non-profit may be found liable for its own actions (direct liability) and may also be found responsible for the actions of an employee or volunteer acting within the scope of their employment (vicarious liability). The primary method to protect the corporation's assets in a cost-effective manner from this array of potential risks is to purchase insurance.

1. Current Coverage

MTA locals are automatically covered by two NEA-provided insurance policies, one insuring local associations against the negligent acts of officers, directors and employees and the second providing a bond and insurance against loss of funds due to the dishonesty of officers or staff.

2. **Additional Coverage:** required (workers' compensation) and recommended (property insurance).

WORKERS' COMPENSATION INSURANCE

Is Workers' Compensation Insurance Required By Law?

The MTA Legal Services Division has concluded that a local association affiliated with the MTA has a legal obligation to carry workers' compensation insurance for officers and employees of the affiliate who are compensated for work done on behalf of the affiliate, regardless of whether the compensation is in the form of a stipend, salary and/or dues forgiveness in lieu of payment. The research suggests that liability would exist only when the agent or officer receives consideration in exchange for their service and where the activity in which the agent or officer is engaged at the time of the injury does not benefit the employer/school district.

LAWS, POLICIES AND REGULATIONS



EDUCATOR LICENSURE

The Board of Elementary and Secondary Education periodically approves changes to educator licensure. Updated information on these changes is available at www.massteacher.org/licensure and thepolicyminute.com.

Educator licensure requirements apply to teachers, specialist teachers, professional support personnel and school administrators. Maintaining educator licenses is the responsibility of the educator. Being employed in a Massachusetts public school without holding the correct license is illegal. Teachers may work up to 20 percent of the school day outside of the field of their license. To check the requirements for a specific license, please visit the Department of Elementary and Secondary Education's web page on educator licensure at www.doe.mass.edu/licensure.

For additional licensure support for MTA members, including the MTA Educator Licensure Guide and Individual Professional Development Plan folder, please visit www.massteacher.org/licensure. Local leaders may also encourage MTA members to send specific or individual licensure questions to licensure@massteacher.org.

The Center for Education Policy and Practice posts updates on state and federal policy issues that may impact MTA locals. These include updates from the Department of Elementary and Secondary Education (DESE), licensure issues and downloadable resources for members. Local leaders and members can sign up to get updates by email at www.thepolicyminute.com.

Information on educator licensure can be found online at <https://thepolicyminute.com/cepplicensure> or by scanning the QR code below.



PARLIAMENTARY MOTIONS GUIDE



LOCAL ASSOCIATION PRESIDENTS' HANDBOOK

The motions below are listed in order of precedence.

Any motion can be introduced if it is higher on the chart than the pending motion.

YOU WANT TO:	YOU SAY:	INTERRUPT?	2ND?	DEBATE?	AMEND?	VOTE?
Close meeting	I move to adjourn	No	Yes	No	No	Majority
Take break	I move to recess for	No	Yes	No	Yes	Majority
Register complaint	I rise to a question of privilege	Yes	No	No	No	None
Make follow agenda	I call for the orders of the day	Yes	No	No	No	None
Lay aside temporarily	I move to lay the question on the table	No	Yes	No	No	Majority
Close debate	I move the previous question	No	Yes	No	No	2/3
Limit or extend debate	I move that debate be limited to ...	No	Yes	No	Yes	2/3
Postpone to a certain time	I move to postpone the motion to ...	No	Yes	Yes	Yes	Majority
Refer to committee	I move to refer the motion to ...	No	Yes	Yes	Yes	Majority
Modify wording of motion	I move to amend the motion by ...	No	Yes	Yes	Yes	Majority
Kill main motion	I move that the motion be postponed indefinitely	No	Yes	Yes	No	Majority
Bring business before assembly (a main motion)	I move that [or "to"] ...	No	Yes	Yes	Yes	Majority

Based on *Robert's Rules of Order Newly Revised*

Incidental Motions

No order of precedence. Arise incidentally and decided immediately.

YOU WANT TO:	YOU SAY:	INTERRUPT?	2ND?	DEBATE?	AMEND?	VOTE?
Enforce rules	Point of order	Yes	No	No	No	None
Submit matter to assembly	I appeal from the decision of the chair	Yes	Yes	Varies	No	Majority
Suspend rules	I move to suspend the rules which ...	No	Yes	No	No	2/3
Avoid main motion altogether	I object to the consideration of the question	Yes	No	No	No	2/3
Divide motion	I move to divide the question	No	Yes	No	Yes	Majority
Demand rising vote	I call for a division	Yes	No	No	No	None
Parliamentary law question	Parliamentary inquiry	Yes	No	No	No	None
Request for information	Point of information	Yes	No	No	No	None

Motions That Bring a Question Again Before the Assembly

No order of precedence. Introduce only when nothing else pending.

Take matter from table	I move to take from the table ...	No	Yes	No	No	Majority
Cancel previous action	I move to rescind ...	No	Yes	Yes	Yes	2/3 maj. w/ notice
Reconsider motion	I move to reconsider the vote ...	No	Yes	Varies	No	Majority

Based on *Robert's Rules of Order Newly Revised*



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