

NEWARK TEACHERS UNION UPDATE

October 21, 2022



President John M. Abeigon

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THE SHOE IS ON THE OTHER FOOT (They Need Us More Than We Need Them)

Saturday, November 5th will be our first *live* meeting in 2 years!! We need to celebrate it and there's no better way for a union to celebrate than by supporting its contract negotiation team and demonstrating to its members that their voices matter, that their input is appreciated, and this is the perfect opportunity to demonstrate what we are all supposed to be about.

I spent yesterday afternoon at Sussex Avenue School for Kronos sign-out, hand delivering Membership Meeting flyers personally. I have already emailed, texted and socialized as much as I could, but now we must step up our outreach game and go face-to-face.

I will be out there, as I know you will be too, approaching our members directly, because it's not about doing the least we can do, it's about doing the most we can do. We can, you can, live up to our tradition and reputation as the most badass teachers union in the state!!

The contract talks SY 2023 are going to be epic. They are going to be historic. Our team will be legend.

In Solidarity,

John M. Abeigon

President/Director of Organization

Newark Teachers Union Local 481, AFT, AFL-CIO

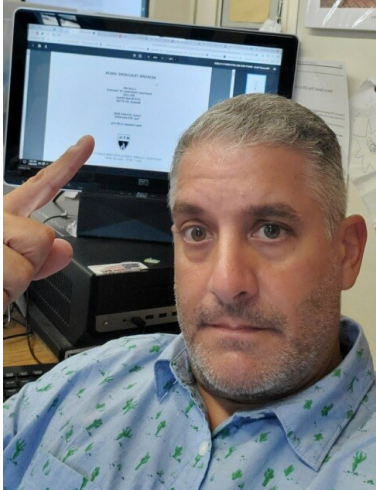
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From the Desk of the Secretary Treasurer



Michael R. Iovino

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Walk Thru look fors are low hanging fruit for us. They want an anchor chart on the wall? Have the kids make them and get them up.

They want LI/SC big enough to be seen? Put it up right after your last class...and have the kids put them on anchor charts for the week if you can.

Turn in your lesson plans on time, even if they are not great. That's what feedback is for. Don't get stuck fighting over the easy stuff.

Important Things:

- [Evaluation Framework](#)
- [Rebuttal Tips](#)
- [RSVP To Mandates](#)
- [Missed Prep Form](#)
- [Supplemental Time Report](#)

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Upcoming Membership Meeting!

Contract Kick-off!

YOUR VOICE - YOUR CHOICE
YOUR CONTRACT!

Saturday, November 5th, 9 AM
Holiday Inn, 160 Frontage Rd
Newark NJ 07114

**Meet your Negotiations Team and bring
suggested demands, this will be a
working breakfast!**

**We need a head count to order food,
so RSVP by going to
<https://tinyurl.com/NTUContract2022>
Or just use the QR Code**



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CLASSROOM ENVIRONMENT IS IMPORTANT FOR STUDENT LEARNING AND SAFETY — AND FOR YOU, ALSO!

Article V, Section 13, paragraph H on page 35 of the Agreement signed between the Newark Board of Education and the Newark Teachers Union states:

H. UNFIT CLASSROOM CONDITIONS

The Newark Board of Education and the Union agree that whenever the hygiene and/or physical conditions of a classroom seem unfit to the teacher of that classroom, to the point of being intolerable, said teacher shall so notify the principal. The principal shall evaluate the nature of the situation forthwith.

She/he shall determine whether said conditions are, in fact, tolerable or intolerable.

If the situation can be corrected by the staff under the principal's immediate supervision, s/he shall arrange to have it done at once.

If the condition cannot be corrected by the principal's immediate staff and the principal further determines that the conditions are so intolerable as to constitute an emergency, then the principal shall shift the class to a more suitable temporary location in that building.

The appropriate Assistant Superintendent and/or his/her designee shall be notified immediately.

Many of our Newark Schools are aged and yet efforts have been made to keep them in a workable condition. If, over the last Summer, hygienic or physical conditions have occurred within your classroom which you now feel make your classroom unsafe or a health risk to yourself or students, please do the following:

1. Discuss the condition with your NTU Building Representative, take photos of the situation and request a meeting with your principal and ask that the condition be looked into to find a remedy.
2. If you have no Building Rep, take pictures, and bring them to the Newark Teachers Union, or call the Newark Teachers Union at 973-643-8430 for the purpose of seeking correction. The Newark Teachers Union will send a representative to your school to meet with you and your administrators.

Do windows operate safely? Is there ventilation in the classroom? Are steam pipes working properly? Are steam pipes corroded with flaking paint? Does water leak into your room from some other source? Are ceilings falling or are there paint flakes from peeling in the classroom? Are desks and chairs safe? Can classroom doors properly operate? Is classroom lighting and heating adequate and safe?

Remember, your health and the health and safety of students are important and the District must be made aware, in writing, of environmental and safety deficiencies in your classroom and the need for repair and replacement. Your Union will put the Board of Education on notice.

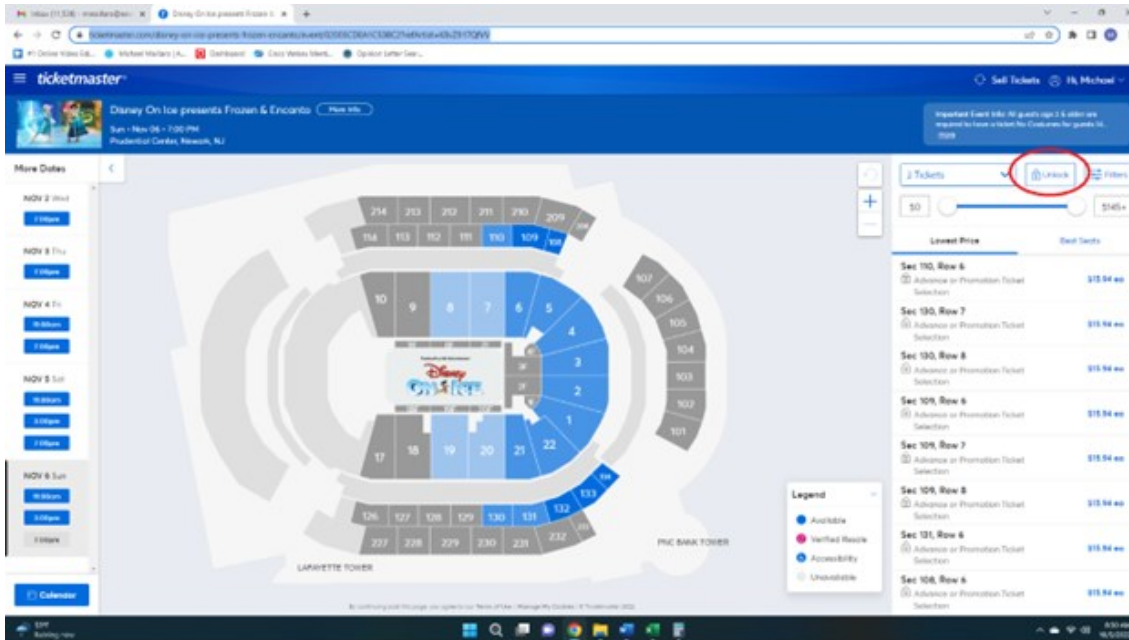
You never want to do nothing about an obvious classroom deficiency because if you do nothing and a student injury or illness occurs therefrom, who do you think will be blamed for not reporting it? You guessed it — you! It's simply called "preventive medicine."

Your administrators should be glad that you are doing what is in the best interest of the students to order to avoid lawsuits for injuries and illness caused by classroom deficiencies and environmental concerns. The Newark Teachers Union is here to help you.

Very Truly Yours,
Eugene Liss, Esq.
NTU General Counsel

Disney on Ice/Monster Jam at Prudential Center

The Prudential Center has sent us a discount code for upcoming Disney on Ice and Monster Jam shows. When you go to the below links, you need to click on “Unlock” and enter the code **NTU481** to unlock these seats.



Disney On Ice

- [Wednesday, Nov 2, 7 PM](#)
- [Thursday, Nov 3, 7 PM](#)
- [Friday, Nov 4, 11 AM](#)
- [Saturday, Nov 5, 11 AM](#)
- [Sunday, Nov 6, 7 PM](#)



Monster Jam

- [Friday, January 27, 2023, 7 PM](#)
- [Saturday, January 28, 2023, 7 PM](#)

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NTU Grievance Policy

The NTU's grievance procedure is our major weapon to ensure that all aspects of our contract are enforced. In this endeavor, your first line of defense in effective contract enforcement is your NTU Building representative. Your NTU representative is charged with enforcing the contract, protecting the rights of their co-workers, and continuing the collective bargaining process between the union and management on a daily basis. The NTU building representative does not have to witness the event or actions that form the basis for the filing of the grievance.

Four Steps in Our Grievance Procedure

Step 1 - The employee, and if they desire their NTU representative, discusses the problem with their immediate superior, who in schools is the principal. Every year, NTU reps in your schools resolve literally hundreds of grievances at this level. If the issue is not satisfactorily resolved within five (5) school days of the last discussion, the employee may move the grievance to step 2.

Step 2 - The employee submits their grievance in writing to their immediate superior (principal), with the assistance of their NTU representative if they desire. This written submission must be within thirty (30) school days of the employee becoming aware of the act, or circumstance, giving rise to the grievance. The said superior then schedules a meeting to discuss the grievance with the employee and their NTU representative, prior to making their decision. The said superior gives their decision in writing with their reasons to the employee, the NTU, and the District Superintendent within five (5) school days after the written grievance has been submitted by the employee.

Step 3 - The employee has five (5) school days to appeal their superior's written decision in step 2. The employee initiates the step 3 grievance by giving written notice to the District Superintendent and their immediate superior (principal) that they're appealing their superior's (principal) step 2 decision. The employee's written notice of appeal must set forth the specific reasons for the grievance. Within ten (10) school days, after receiving the employee's written notice of appeal, the District Superintendent, or their designee, meets with the employee and their NTU representative. The District Superintendent then gives their written decision, within five (5) school days after this meeting, to the employee, the NTU, and the employee's immediate superior.

Step 4 - If the grievance has not been satisfactorily settled with the 3 step procedure delineated above, a grievance may be submitted to binding arbitration. Within ten (10) school days after the District

Decision on which cases the NTU decides to take to arbitration is based on five questions:

1. Is the Union right?
2. Does the union have evidence and arguments to win the case?
3. Is the issue sufficiently important?
4. What effect will winning or losing have on the contract?
5. Is there an alternative acceptable resolution??
6. What must be done to make the grievant Whole?

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How NTU members can prepare for a grievance

As previously mentioned, your NTU Building Representative is your first line of defense in the grievance procedure. They should be consulted when a member believes a grievance has occurred, based on the definition on the previous page. Then the NTU building representative will consult with the aggrieved member to determine how to proceed. To make this determination, six crucial "W" questions need to be answered:

1. Who is involved? Which member(s) of NTU's bargaining unit are affected by the administrative action being complained about? Which administrators acted or failed to act properly, thus causing the complaint. Which people witnessed the action, or have knowledge about it, or related matters? Each of these people should be interviewed and a written record of these interviews should be made and kept in the grievance file.

2. When did it happen? The time of the incident may help determine the merit of the grievance and the moment of the incident, or the grievant's first knowledge of the action, starts the clock on the grievance procedure. A grievance that is not filed and processed in a timely manner can be lost, regardless of the strength of the arguments and evidence the union presents.

3. Where did it happen? The setting and environment of an incident can be a determining factor in determining whether an action was right or wrong, particularly when management is considering disciplinary action.

4. What happened? What action, or failure to act by management is the basis of the complaint? All specifics and available documentation of the incident need to be gathered. Most of this information comes from the grievant, the supervisor involved, and any witnesses to the event. Facts need to be separated from hearsay, opinions, and allegations. All relevant materials, including letters, files, incident reports and records need to be examined. Precision is critical here. Specific details are easier to remember when they are written down after an incident occurs. Remember, memory fades and changes with time.

5. Why is it a grievance? What article(s) of the contract are violated or breached because of what happened? Remember, your complaint may be justified but, if it's not a violation of our contract, it's not a grievance. The facts of the case must be connected to specific language in the contract. Legitimate grievances can also be filed based on past practice, policy and rule. Past practice refers to unilateral actions taken by management which substantially alter the terms and conditions of employment. A grievance on policy can occur when procedures established by management are not formally acted on by management, management does not make a reasonable effort to inform all members of the bargaining unit that the policy exists and applies to them, and/or management does not uniformly enforce the policy. If there is a negotiated rule in our contract, it must be consistently and uniformly applied. If management only occasionally or selectively enforces the rule, then the union can grieve the procedure to protect employees who are punished for violating the rule.

6. What must be done to make the grievant Whole? The remedy must be identified that is consistent with our contract and restores the grievant to the status which they would have held had the violation not occurred. The purpose of the remedy is restitution, not revenge. Apologies from and punitive actions against the administrators who violated the contract are not appropriate remedies, as much as morality suggests they should.

REMEMBER!!! YOUR ABILITY TO ANSWER THESE SIX QUESTIONS, WITH AS MUCH DETAIL AS POSSIBLE WILL HELP RESOLVE YOUR CASE SUCCESSFULLY. WRITING DOWN YOUR ANSWERS TO THESE QUESTIONS WILL ALSO HELP TO SPEED UP THE PROCESS.

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mark  your Calendar

- Tuesday, October 25—NTU Executive Board Meeting
- Thursday, October 27—Newark Board of Ed Meeting
- Friday, October 28—Pay Day (10 days)
- Wednesday, November 2 —NTU Building Rep Meeting (RESCHEDULED)
- Saturday, November 5—NTU Membership Meeting
- Thursday, November 10—NJEA Convention, School Closed
- Friday, November 11—Veteran's Day, School Closed
- Friday, November 11—Pay Day (10 days)
- Friday, November 18, Puerto Rico Heritage Day, School Closed

Please note that November 9th, 14th, 17th, and 21st are the work days before or after a holiday. To ensure that you get paid for the holiday weekend, you must take a personal day if you are going to be absent on any of those days.

You can take a sick day on those days as long as it is part of an approved medical leave. Unless it is part of an extended FMLA, you must submit a medical certificate to NBOE Office of Administrative Services within 3 days of your return to work.

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MEMBER SERVICES

NTU Members should never hesitate to communicate with us by phone, email, etc regarding any of the issues we handle at the Newark Teachers Union.

- Planning for Retirement
- Pension & Buy Back Issues
- ER+D Staff Development
- Health and Supplemental Benefits
- AFT Membership Benefits
- FMLA and other leaves of absence
- Assistance with Evaluations and Observations
- Disciplinary Hearings
- Labor Relations & Payroll
- Legal Representation
- Workers Comp
- Tuition Reimbursement

Under the current situation, it is vital to stay informed! If you have changed your address, phone number, or location, please let us know by emailing sscreven@newarkteachersunion.com

Also, if you don't get our weekly updates, make sure you are on our mailing list by reaching out to mmaillaro@newarkteachersunion.com

Don't forget to follow us on Facebook (<https://www.facebook.com/NewarkTeachersUnion481/>) and Instagram (https://www.instagram.com/newark_teachers_union/?hl=en)

[If you are not a NTU member, make sure you fill out a membership application on our website!](#)

NEWARK TEACHERS UNION

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