NEWARK TEACHERS UNION

BUILDING REPRESENTATIVE

HANDBOOK

2022– 2023



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NEWARK TEACHERS UNION

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**The Role of the Building Representative**

A major purpose of unionism is to win for employees/members a share of power at the worksite. In order for this ideal to become reality, it is necessary that employees in each school be led by a union steward (Building Representative). This Building Rep represents the interests of the members to management and to union leadership, helps to solve day-to-day problems on the job, and engages and organizes members to involve them in the activities of the union and the community at large

There are four major roles of a Building Representative:

**I. The Worksite Leader -**

A. Is a visible representative of the Newark Teachers Union.

B. Holds worksite meetings.

C. Gets members to serve on committees.

D. Welcomes new employees.

E. Discusses important issues regularly

F. Attends and Represents members at the NTU Building Rep meetings.

**II. The Communicator -**

A. Distributes newsletters and flyers.

B. Maintains a bulletin board.

C. Collects literature, memos, and bulletins from other locals represented in their buildings, especially of CASA, as well as relevant communications from administration

D. Activates a worksite telephone tree.

E. Conducts surveys.

F. Informs members of political or policy positions.

G. Confirms members are informed

H. Collects, maintains and shares with the NTU member contact information for their site

**III. The Problem Solver -**

A. Handles grievances.

B. Identifies worksite problems.

C. Involves members in professional issues.

**IV. The Union Builder -**

A. Recruits members.

B. Organizes social events.

C. Encourages members to contribute to COPE

D. Recruits volunteers for political campaigns.

E. Secures support for legislative activities.

F. Develops a worksite union committee.

G. Persuades others that it is in their self-interest to support and be involved in the union’s

worksite efforts.

**QUALIFICATIONS AND REQUIREMENTS**

A **full pledged** Newark Teachers Union member in good standing for **four full years.**

**BASIC FUNCTIONS AND RESPONSIBILITIES**

1. Supports the Newark Teachers Union and its policies.

2. Provides all unit members with maximum representation and service.

3. Becomes knowledgeable of existing contracts.

4. Enforces all provisions of existing contract.

5. Forms an effective Building Committee.

6. Holds monthly Union meetings.

7. Holds monthly meeting with Principal and N.T.U. Building Committee.

8. Attends monthly Building Representative meetings.

9. Attends Membership meetings.

10. Attends functions sponsored by the Newark Teachers Union and its parent Organizations.

11. Attends meetings and functions sponsored by affiliated Labor Organizations.

12. Maintains a neat, attractive, and updated Union Bulletin Board.

13. Other duties and functions as may be determined by President and or Executive Director.

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**NTU Building Rep Policy**

- Any NTU member in good standing for three consecutive years shall be eligible to run for building representative.

- All interested candidates will be able to apply on our website and will be vetted by the Building Rep Support Committee and NTU Director of Organization.  If necessary, elections will be scheduled and overseen by NTU Staff, under the direction of the NTU Director of Organization.

- The NTU Director of Organization shall be responsible for implementing this provision and policy. The NTU Director of Organization’s decisions are final and binding, unless appealed to the NTU Grievance Committee.

**NTU Building Committee**

In addition to a Building Rep, each school will also have a Building Committee that represents the membership. A Building Committee should be representative of all the different titles and areas of the building. (For example, in a three-story school for example, the Building Committee might consist of one teacher from each floor, one clerk, and one Teacher’s Aide)

**The Building Committee is the eyes and ears of the union**, and is a two-way telephone, from membership to management, as well as reporting to the NTU at large when issues arise.

To build a committee, current Building Reps and leaders need to **identify committed NTU members across job titles and work locations**.

Here are some questions to consider when trying to identify potential Building Committee members:

* **Who are the natural leaders?** Sometimes the best person to be on a Building Committee isn’t known as an activist, but simply has a wide social network, and is well-respected at work.
* **Who will put in the time?** We need committed members to do the work of liaising between management and the membership in the building.
* **Who will best represent the members?** Members need to know the Building Committee is an accurate representation of the building. The Building Committee should look like the membership, and diverse voices should be represented.

**UNION REPRESENTATION & WEINGARTEN RULES**

Under Weingarten, you have the right to union representation whenever you are called to a meeting with management and the discussion could reasonably lead to discipline or termination.

Employers have no obligation under Weingarten to inform employees of their right to union representation.

If called to a meeting with management read the following to management before the meeting starts:

“If this discussion could in any way lead to my being disciplined or terminated, or affect my personal working conditions, I respectfully request that my union representative, officer or steward be present at this meeting. Without representation present, I choose not to participate in this discussion.”

**Checklist: What should a Building Rep always have**

1. Contract Books \_\_\_\_\_\_\_\_\_\_\_\_
2. Building Rep Handbook \_\_\_\_\_\_\_\_\_\_\_\_
3. Membership application cards \_\_\_\_\_\_\_\_\_\_\_\_
4. COPE cards \_\_\_\_\_\_\_\_\_\_\_\_
5. School Roster with NTU Membership Status \_\_\_\_\_\_\_\_\_\_\_\_
6. Phone numbers for ALL NTU members at site \_\_\_\_\_\_\_\_\_\_\_\_
7. School and PERSONAL emails for ALL NTU members at site \_\_\_\_\_\_\_\_\_\_\_\_

**Important contact information**

\*Benefits

Phone: 973-733-7336

Fax: 973-733-8113

[benefits@nps.k12.nj.us](mailto:benefits@nps.k12.nj.us)

\*Human Resources

Phone: 973-733-6950

[humanresources@nps.k12.nj.us](mailto:humanresources@nps.k12.nj.us)

\*Affirmative Action

Phone: 973-424-4426

Fax: 973-327-6219

[AffirmativeAction@nps.k12.nj.us](mailto:AffirmativeAction@nps.k12.nj.us)

\*Labor + Employee Relations

Phone: 973-733-8225/973-733-8957

Fax: 973-327-6151

[npslaborrelations@nps.k12.nj.us](mailto:npslaborrelations@nps.k12.nj.us)

\*AESOP

Phone: 1-800-942-3767

Customer Service: 973-733-8700

<http://newark.aesoponline.com>

\*Leaves of Absence

Phone: 973-798-4920

Fax: 973-688-2060

[leaveofabsence@nps.k12.nj.us](mailto:leaveofabsence@nps.k12.nj.us)

\*Resignation/Retirements

Phone: 973-733-7132/973-733-6682

[npsresignation@nps.k12.nj.us](mailto:npsresignation@nps.k12.nj.us)

\*Workers Compensation

Phone: 973-733-7139/973-733-7139

Fax: 973-733-8771

\*Escrow/Salary

Phone: 973-733-7131 / 973-733-7117

[npscompensation@nps.k12.nj.us](mailto:npscompensation@nps.k12.nj.us)

\*Superintendent’s Office

Phone: 973-733-7334

Fax: 973-733-6834

\* Administrative Operation Services

Phone: 973-733-8748

Fax: 973-733-8113

\*Records and Verification

Phone: 973-733-8748

Fax: 973-733-8113

[recordsverification@nps.k12.nj.us](mailto:recordsverification@nps.k12.nj.us)

\*Office of Ombudsman

Phone: 973-733-7015

Fax: 973-733-8282

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|  | NEWARK BOARD OF EDUCATION  765 Broad St.  Newark, NJ 07102  973-733-7333  <http://www.nps.k12.us> |

**Important contact information**

NEWARK TEACHERS UNION

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Rita Messing & Margaret Calabrese, Retiree Chapter - [retirees@newarkteachersunion.com](mailto:retirees@newarkteachersunion.com)

PIF Committee - [NTUPIF@gmail.com](mailto:NTUPIF@gmail.com)

Robert Palumbo - Part Time Staff Reps - [rpalumbo@newarkteachersunion.com](mailto:rpalumbo@newarkteachersunion.com)

Silvia Periera - Distance Learning Workshops - [speriera@nps.k12.nj.us](mailto:speriera@nps.k12.nj.us)

John Cunha - Pension and Benefits Expert - [jcunha@nps.k12.nj.us](mailto:jcunha@nps.k12.nj.us)

OTHER IMPORTANT CONTACTS

Union Workforce Initiative

Employee Assistance Program

Phone: 877-468-1416

Email: [terry@uwiusa.com](mailto:terry@uwiusa.com) / info@uwisua.com

http://www.uwiusa.com

Newark Board of Education Employee

Credit Union (NBEECU)

195 Norman Road

Newark, NJ 07106

Phone: 973-375-9182

Fax: 973-374-5362

Email: info@nbeecu.org

AFT New Jersey State Federation

720 King Georges Road, Suite 300

Fords, NJ 08863

Phone: 732-661-9393

Fax: 732-661-1776

http://www.aftnj.org

Concentra Urgent Care (Injuries on job)

375 McCarter Hwy

Newark, NJ 07114

Phone: 973-643-8601

Fax: 973-643-8609

https://www.concentra.com/urgent-care-centers/new-jersey/newark/newark-new-jersey-urgent-care/

NJ Division of Pensions and Benefits

PO Box 295

Trenton, NJ 08625-0295

Phone: 609-292-7524

http://www.state.nj.us/treasury/pensions

**Grievance Policy – Page 1**

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.

Definition of a grievance - According to our contract, (Article III, Section 1A), A grievance is a complaint by an employee that (1) she/he has been treated unfairly or inequitably by reason of any act or condition, including those relative to employee health and safety, which is contrary to established and prevailing policy or practice governing or affecting employees, or (2) there has been to him/her a violation, misinterpretation, or misapplication of the provisions of this Agreement or any of the existing rule, regulations or orders of The Newark Public Schools or the New Jersey State Department of Education having the force and effect of law…

**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 between 600 - 900 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 State 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 State 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 State District Superintendent, or their designee, meets with the employee and their NTU representative. The State 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 State District

**Grievance Policy – Page 2**

Superintendent's written decision, the employee may submit their grievance for binding arbitration. A qualified arbitrator is selected mutually by the NTU and the Newark Public Schools. The arbitrator arranges the dates, meeting places and agenda of all arbitration proceedings. The arbitrator's written decision is final and binding on all parties.

Decision on which cases to arbitrate 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?

**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.

**Grievance Policy – Page 3**

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.**

**Contract provisions related to Building Reps**

**Article IV, Section 4 - UNION ACTIVITIES WHILE ON-DUTY**

No teacher shall engage in Union activities during the time s/he is assigned to teaching or other duties, provided that teachers shall be permitted to engage in Union activities as specifically provided in this Article IV.

**Article IV, Section 5 – NTU MEETINGS**

### REP- STAFF MEETINGS

The Union shall have the right to have meetings with the employees of any school prior to the beginning of the school day, during the employee's lunch period, and after the closing of school upon timely notification to the school principal. Principals shall be required to cooperate with the Union to facilitate the holding of such meetings despite relatively short notice whenever circumstances so dictate. Principals shall provide for proper meeting facilities in accordance with such request without charge to the Union, provided that this use of meeting facilities shall in no way interfere with previously scheduled school programs, and activities. No principal or other administrator of said school shall schedule any activity or program which will interfere with the conduct of said Union meeting after the meeting has been formally scheduled, except in cases of emergency. In case of such an emergency, the principal shall furnish a written explanation of the nature of such emergency to the District Superintendent and the Union.

**Article IV, Section 6 – MEETINGS WITH PRINCIPALS**

### A. BUILDING REP MEETINGS WITH PRINCIPAL

Meetings between the principal and a Union representative for each school shall be held at the Union's request, not less often than once each month on a school day for one class period when the school is in session to discuss matters affecting the welfare of employees and children and the operations of the school, and any question relating to the implementation at the school of any Newark Board of Education policy or the provisions of this Agreement.

### B. BUILDING REP MEETING GUIDELINES

If any such meeting is held during school hours, representatives of the Union shall be released from active duty for a period of not more than one class period to attend said meeting, the representatives to be determined on the following basis: in addition to the school building representative, one additional representative shall be released for each 25 faculty members. The total number released, including the building representative, shall not exceed 5, nor shall this number be less than 2. There shall be no such limitation of numbers for meetings held at any time after school hours, or at any time when school is not in session.

### C. INDIVIDUAL SCHOOL POLICIES

Individual school policies shall not be inconsistent with the terms of this Agreement, unless as stated otherwise in these agreements.

**Article IV, Section 14 – USE OF SCHOOL PHONE FOR UNION BUSINESS**

All NTU Building Representatives and Officers may use the school phone at appropriate times to conduct Union and/or Newark Board of Education business.

**Article IV, Section 10 – SCHOOL VISTS BY NTU OFFICIALS/REPRESENTATIVES**

### C. NOTICE TO BUILDING REP OF CENTRAL ADMINISTRATORS' VISITS

The school clerk shall notify the NTU Building Representative when central office administrators and supervisors are present in the school building,

No teacher shall engage in Union activities during the time s/he is assigned to teaching or other duties, provided that teachers shall be permitted to engage in Union activities as specifically provided for in Article IV of this Agreement.

**Article V, Section 3 – TEACHER SCHEDULES AND THE SCHOOL DAY**

### A. NTU BUILDING REPRESENTATIVES - PREP PERIOD

One (1) properly designated NTU Building Representative in each school shall be scheduled for one (1) administrative period per week so that s/he may effectively provide representation to members of the bargaining unit. A properly designated representative is a representative whose appointment has been confirmed in writing to the District Superintendent by the NTU President.

The activities of the NTU Building Representative shall be confined during the administrative period to the school and shall not interfere with the normal operations and activities of the school and its personnel. No teacher should engage in Union activities during the time s/he is assigned to teaching or other duties, provided that teachers shall be permitted to engage in Union activities as specifically provided for in Article IV, Section 11*.*