

Hearing Education Services

CHAPTER NEWSLETTER



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UFT Delegates: Caryn Benjamin, Betty Hintz

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MESSAGE FROM Cecilia

It has been a very exciting year. I have learned a great deal about the union and its members. As we come to the end of the year I want to thank everyone for giving me the opportunity to represent you. I know there is plenty to learn about this job; but I am very willing to learn and to continue to do it. It has given me a tremendous pleasure to serve you. When you do something you like it is a reward in itself.

—Cecilia

You should know



I will have the last consultation meeting with Ms. Helen Kaufman this year on Wednesday, June 10 at 4:00 p.m. at 400 1st Avenue. I want to thank all the teachers who contributed suggestions, topics, and questions, who made the consultation meetings relevant and current.



Have a nice summer.

"You can only protect your liberties in this world by protecting the other man's and woman's freedom. You can only be free if I am free"

—Clarence Darrow

UFT RECOMMENDATIONS - H1N1 (SWINE ORIGIN) FLU PROTOCOL (MAY 18, 2009)

The DOH/DOE Office of School Health is treating H1N1 (Swine Origin) flu the same as any other type of flu. Any flu can be serious so precautions and appropriate protocols are still critically important. If your school has a higher than usual number of staff or student absences, contact your DR or borough office.

The UFT recommends that each of the following steps is in place in your school:

School Protocols that should be in place to reduce the chance of spreading flu:

- If students or staff have flu symptoms (greater than 100.5 F fever, coughing, sore throat, shortness of breath and running nose, aches, pain, vomiting or diarrhea), they should stay home and be seen by a health care provider.
- Staff members who do not feel well should go home.
- If the school has students or staff with flu symptoms (whether in school or absent):

Staff members at risk for complications from the flu should immediately consult their physicians for preventive measures. At risk members include people over 65 years old, people with lung, heart, kidney, liver or blood disorders, and those with immune compromised systems, people on long-term aspirin therapy and pregnant women.

Pregnant staff and other at-risk members who do not feel well should immediately see a doctor.

- Schools should inform parents that they must keep children with flu symptoms (fevers and either coughs or sore throats) at home.
- Ill students (with fever and cough or sore throat or shortness of breath) should be

isolated in the nurse's office until their parents arrive. These students should not be returned to the classroom or sent to the general office. They should be separated from other students and sent home immediately.

- Students who are sent home with symptoms should not return to school until free of symptoms for at least 24 hours. Students with persistent coughs but no other symptoms may return to school one week after their symptoms started.
- Continue to keep a record of all staff and students at school who have flu symptoms.
- Report flu cases to the DOH/DOE Office of School Health, especially three or more cases.
- Make sure there is the appropriate protective equipment in the school, including N95 respirators and disposable gloves. The nurse and staff or students with flu symptoms should wear respirators.
- Make sure that hard surfaces that may be contaminated are disinfected.
- There should be adequate supplies of soap and paper towels in the bathrooms.

The union and chapter leaders should:

- Contact the district representative and borough office so they are aware of the school situation.
- Work with the administration to keep the school community informed of flu cases. Hold staff meetings and send letters home.
- Notify the DOE/DOH Office of School Health to make sure that protocols are followed.

Know Your Rights

WHAT THE CONTRACT SAYS ABOUT: Letter in the file

Like employers in other workplaces, the Department of Education maintains a personnel file for each of its employees. Every UFT member has an official file at school that contains the administration's observation reports, annual evaluation sheets, licensing or salary documents and other materials. There is only one official file maintained in your school; if a supervisor keeps private notes or reports about you in his or her possession, they may not be used as official records against you. If you transfer to a new school, your file (but not any private notes) will follow you there.

Before any material is placed in your file, you must be given an opportunity to read it and acknowledge its receipt by signing it. Your signature does not mean that you agree or disagree with its contents, only

that you have seen them. Nothing positive is accomplished by refusing to sign such a letter. All that happens is that the principal gets a witness to attest that you saw the letter and declined to sign it, and the letter goes in the file anyway.

By the way, if you file a grievance, no record of that grievance or the grievance decision can be placed in your file.

Give Your Response

If material in your file is negative, you should write a response, detailing why you disagree with its contents. You should speak with your chapter leader, your district rep and/or borough office. They can help you write an appropriate response and advise you on any other possible course of action, including procedural matters (such as no pre- or post-observation conference) that you may be able to grieve. The response should be attached to the original letter in your file; your supervisor cannot respond to your response.

Teachers used to have the right to file a grievance seeking to change words in a letter if the words were "unfair and/or inaccurate." Since 2005, they have a superior right: the

right to remove negative material in their files after three years if it has not been used in any disciplinary action against them (such as in a U-rating, discontinuance of service or a Section 3020-a proceeding). The three years are counted from the date of the letter. The removal of old negative material won't happen automatically. It's up to you to request that it be taken out.

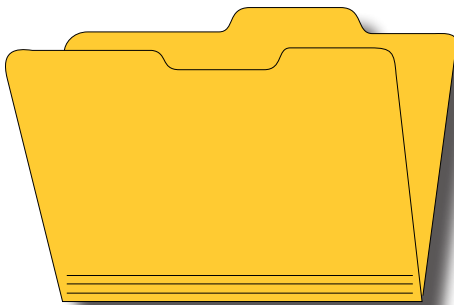
Grieving Letters

There are, however, instances when a letter in the file can be grieved. In a recent decision, an arbitrator ruled that a teacher may file a grievance on a letter placed in his or her personnel file if there is an underlying violation of an existing contractual clause or Chancellor's Regulation, and ask as a remedy that the letter be removed from the file. (For example, if a teacher receives a letter in the file for corporal

punishment, and the investigation was not done in accordance with the pertinent Chancellor's Regulation, the teacher should consult with the chapter leader and file a grievance asking for a proper investigation and removal of the letter.) In another recent decision, an arbitrator affirmed that a teacher may also file a grievance on a letter in the file that refers to incidents that have not been put into writing within three months of their occurrence, exclusive of summer vacation.

In addition, if you are denied a teaching assignment, a per-session job or a transfer based on a letter in the file, the letter can be challenged as part of the grievance of the denial. You cannot get a letter for the format of bulletin boards, the arrangement of classroom furniture and/or the exact duration of lesson units.

You always can examine and make a copy of your official file. We recommend that you review your file at least once a year to be sure that it does not contain any inappropriate material, including outdated or unsigned documents. Again: Make sure that, after three years, letters that do not form the basis of any discipline are taken out of your file.



Things to do:

- **Sign up on the union's Web site**
Go to www.uft.org or the HES chapter Web page at www.uft.org/chapter/hearing and click on the "Sign up" button to get the latest chapter and union news, plus access to the members-only section of the site.
- **Just For Fun**
Sat., June 6 — The 23rd Annual School Secretaries Luncheon, 12 noon at UFT headquarters.

Tue., June 9 — **The Mile Museum Festival:** New York City has officially designated Fifth Avenue from 82nd to 105th Streets "Museum Mile" because of the vast richness and cultural diversity of its museums, 6 p.m.-9 p.m., rain or shine, free.



Fri., June 12 — **Dancing with the Staff** – Season 2 for New Teachers (1-5 years), 7-10 p.m., at the Bronx UFT office.

Sat., June 20 — **Great Adventure** belongs to union families: TWU Local 100 has designated Saturday, June 20th as "Family Day" and rented all of Six Flags Great Adventure for the exclusive use of their members and families and the extended family of labor. They have invited the UFT and other unions to take part in this day. Tickets are available at a special discounted rate, and group rates for buses offer additional savings. See the pdf flyer here <http://www.uft.org/r/47272/6051503>, and information about buses and group rates here http://www.uft.org/sixflags_busreg.pdf.



June 14 Flag Day
June 21 Father's Day
June 26 Last School Day