

THE ADVOCATE

Corporate attacks on unions reach Supreme Court

Union members' workplace rights come from three fundamental sources:

1. The law
2. The union contract
3. The power of solidarity

The most important of these is worker solidarity.

Without that solidarity, any employer could easily break the law and the union contract with no consequences. Worker solidarity is so powerful that even without the law or contract on our side, we can win. (If you're not sure if that's true, imagine this real life win: At one school the principal took away morning recess. There's no right to a morning recess in our union contract or in the law, but teachers found morning recess so important that they united to create a petition calling on their principal to reestablish morning recess and delivered it together—and they won!)

Worker solidarity is so powerful that corporate interests are trying to destroy it. Silencing educator unions makes it easier for corporate interests to dismantle public education and open the floodgates to charter and cyber schools. Diane Ravitch, an education historian and a former Education Department official under President George H.W. Bush, says, "The unions are an obstacle to almost everything [corporate reformers] want to do,

What is Fair Share?

Let's take a closer at what Fair Share is and what it is not.

- 1 Fair Share is a common-sense way to ensure fairness and protect equity, individual rights, and the pocketbooks of educators.
- 2 Every educator who enjoys the benefits and protections of a negotiated contract should, in fairness, contribute to maintaining the contract.
- 3 Fair Share fees are not used for political or ideological activities.
- 4 Fair Share does not force individuals to join CTA. In fact, Fair Share protects the individual rights of educators to choose whether to join the Association.
- 5 Under Fair Share, all members enjoy the benefits, rights, and protections of the bargained contract, but the similarities end there.

so they have to neutralize them."

The newest attempt to neutralize unions is an attack on Fair Share. Fair Share is the idea that everyone who enjoys the benefits and protections of the union contract should, in fairness, contribute to maintaining the contract, even if they choose not to be a union member. In 1977 the U.S. Supreme Court ruled that Fair Share is not just constitutional but, well, *fair*. A new case, *Friedrichs v. CTA*, headed to the U.S. Supreme Court this fall, will challenge this notion.

The corporate bankrollers

behind *Friedrichs v. CTA* say the case is about an individual's right to choose, but that's a lie. Workers *already* have the right to choose whether to be union members. What *Friedrichs* is really about is encouraging free-ridership to undermine the power of teacher unions, making it easier to, in turn, undermine (and ultimately privatize) public education.

The good news is that SDEA members believe in the power of solidarity. More than 90% of SDUSD educators *choose* to be SDEA members because we know that our

voice is louder when we speak together. That bodes well not just for upcoming bargaining on pay increases in 2016, but also the attacks on public education and our profession that we can count on in the future.

If you're not yet a member of SDEA, but you believe in standing together to protect public education and the dignity of the education profession, you can join SDEA now at www.sdea.net.

Check out page 2 to read what your co-workers had to say about why they choose to be union members!



10393 San Diego Mission Rd. Ste. 100, San Diego, 92108

Phone (619) 283-4411 Fax (619) 282-7659

Web www.sdea.net

The SDEA Advocate is published monthly by the San Diego Education Association and paid for in full by advertising revenue. Advertising rates are available upon request.

SDEA OFFICERS

PRESIDENT

Lindsay Burningham

VICE PRESIDENT

Michelle Sanchez

SECRETARY

Scott Mullin

TREASURER

Kisha Borden

SDEA BOARD

AREA I

Dave Erving Ramon Espinal
Juan Sebastian Ulloa

AREA II

Kim Oliver Matthew Schneck
Joe Wainio

AREA III

Monique Anderson Tim Halley
Jenny Rivera

AREA IV

Adam Goldstein Julia Knoff
Mary Turnberg

SDEA STAFF

EXECUTIVE DIRECTOR

Tim Hill

UNISERV FIELD ORGANIZERS

Erin Clark Jonathon Mello
Anthony Saavedra Abdul Sayid
Morgan Thornberry

FINANCE MANAGER

Betty Timko

CONTRACT SPECIALISTS

Rafal Dobrowolski Larry Moreno

PROPERTY/OFFICE SPECIALIST

Nanette Najera

SECRETARY

Lisa Steinberg



Letters in Solidarity

Lindsay Burningham
SDEA President



Michelle Sanchez
SDEA Vice President

Unity best response to attacks

Can you believe we have been in school for over a month? We hope you have had a great start to the 2015-16 school year. Overall it has seemed to be a smooth start compared to previous years. SDEA leaders are paying close attention to issues that have surfaced including the new On Demand Writing Assessments, secondary staffing/36 hard cap and the new TK-3 class size site average. If you feel that our contract is being violated at your site or department, please make sure to speak with your site Association Representative (AR) about the violation. If you need further assistance with the situation, your AR can contact an SDEA Contract Specialist for support.

While our work at the local level continues, we must also be aware of grave threats to our union and all public sector unions at the national level. Many of you may already be aware that there is a current case at the Supreme Court that could drastically impact our members and our ability to advocate for the schools, our students, and public education. The case is entitled *Friedrichs vs. CTA* and calls into question our unions' ability to collect dues from both members and non-members. We call this Fair Share.

Fair Share is a common-sense way to ensure fairness and protect equity, individual rights and the pocketbooks of educators. Every educator who enjoys the benefits and protections of a negotiated contract should, in fairness, contribute to maintaining the contract. Fair share does *not* force individuals to join SDEA. In fact, the law already protects the individual right to not contribute to the political activities of the union.

Oponents like to say that our jobs aren't political

and that our union should stay out of this arena. Our opponents are completely wrong! The politicians we elect in Sacramento and at the national level make policies and pass laws that impact our schools every day, including education funding, education code regulations, testing, special education and educator evaluations. At the local level, elected school boards make decisions that impact class size, district leadership, our working conditions and much more. It is imperative that our members stay united against attacks on Fair Share and attacks from our opponents who are trying to keep us out of politics.

There are many things you can do to help. Every month we will have more information about Fair Share. Make sure to read the information and talk to your fellow colleagues about the importance of protecting Fair Share. The second thing you can do is get more involved in SDEA, our union. You can do this by attending your site or department meetings every month, attend School Bboard meetings, or join an SDEA committee. Finally you can help by making a voluntary contribution in our SDEA PAC drive. The money contributed will go towards helping us get people into office that support and value the voices of educators in public education. To contribute to the PAC drive please contact your AR or visit the SDEA website to download the information.

Together We Are Stronger!

Lindsay Burningham
Lindsay Burningham
SDEA President

Michelle Sanchez
Michelle Sanchez
SDEA Vice President

Why do you choose to be a union member?



"So we can have a voice in our pay, our benefits, and our working conditions instead of the boss just telling us. We decide as a union—as a community. We look out for each other, not just for ourselves."

— Miroslava Artega
Euclid CDC



"Being in a union means that I have a voice in the education of my students. It's something that's bigger than any individual. It's about collectively caring for our schools."

— Molly Vizesi
Art Teacher
Patrick Henry HS

New contract, new supports for gen. ed. teachers

The law requires school districts to provide a full continuum of services to students with IEPs. Included in that continuum is the right of a student with an IEP to be enrolled in a general education classroom when appropriate. In recent years San Diego Unified has increased the number of students with IEPs who are in general education classes. This is a good goal towards which to strive. However, appropriate resources must be provided to both teachers and students in order for that model to work. Thanks to our strong *Fight for 5!* bargaining campaign, our new contract contains new supports for general educators teaching classes with 20%+ enrollment of students with IEPs.

First, it is important that students with IEPs are placed in general education classrooms in an equitable manner. This

is intended to not only support classroom teachers, but also to support all of the students in a particular classroom. Section 29.7.2 of our contract requires principals to assign students with IEPs to classrooms “in such a way as to minimize the impact and equalize student load.” If there is a particular class at your school where it is apparent that the equalization of student load was not taken into consideration or even attempted, it’s a problem—one that can be grieved. Impacted members can work with your site AR to have an informal discussion about the issue, remind the principal of Section 29.7.2, and fix the problem. If the principal won’t resolve the problem, you have the right to file a formal grievance and win a fair remedy.

In addition to equalization of students, Section 29.7.2.1 of the new contract **mandates**



principals to provide additional **available** supports to general education teachers with 20%+ students with IEPs in any given class. These additional supports may include, but are not limited to, a smaller class size, redistribution of site Special Education staff, additional prep time, and/or the elimination of non-teaching duties.

If you have a class that fits the 20%+ description, talk to your principal about providing additional supports. The

contract requires administration to meet with you about this within 10 workdays of you requesting to meet. Remember, if the supports are available, they *must* provide them. It is recommended that you do your homework on what supports are available before meeting with administration. Just like the contractual rights about equalization, these new rights about additional supports can be grieved as well if the principal won’t follow the rules!

Everyone knows that buying in bulk is a better value.

Whether it's 5 gallons of mayonnaise or 100 rolls of toilet paper, when you purchase items in larger quantities, you tend to get a better deal.

As a CTA member, you can buy auto and home insurance at a bulk-rate, too! That's because you're taking advantage of pricing and benefits based on the combined buying power of 325,000 fellow CTA members.

Those who switch save an average of \$495 a year...

now that's a good deal!

Call today to find out how much you could save.

1-866-680-5139





Protect what matters to you.

When you're out of commission, you aren't just out of the classroom. You're missing out on what makes you, you. That's why it pays to protect your way of life with CTA-endorsed Disability Insurance from The Standard. It replaces part of your income to pay for the things medical insurance won't cover — like rent, car payments, vet visits and more. Get the confidence that comes with knowing you've protected your future so you can focus on what matters today. Learn more at CTAMemberBenefits.org/TheStandard.



For costs and further details of the coverage, including exclusions, any reductions or limitations and the terms under which the policy may be continued in force, please contact Standard Insurance Company at 800-522-0406 (TTY). Standard Insurance Company, 1100 SW Sixth Avenue, Portland, OR 97204 GP 190-LTD/S399/CTA.1 SI 17313-CTAvol

All About

YOUR VEBA CHIROPRACTIC BENEFITS

***Got a kink in your back or ongoing pain?
Do something about it.***

Tap into your chiropractic benefits. Here's how.

- Visit an Optum Health Network Chiropractor
- You do NOT need a referral for services from your Primary Care Provider (PCP)
- Treatment must be medically necessary
- For ongoing treatment, you may need to get a referral from Optum Health



Don't put off addressing a nagging problem that may be helped by a chiropractor. Take action today.

Website: myoptumhealthphysicalhealthofca.org

Phone: Kaiser Members **800-428-6337**

Phone: UnitedHealthcare Members **888-586-6365**

