



Union Messenger

February 2008

E-mail, MySpace, and Blogs: Hazards of the Electronic Workplace

The use of e-mail and other electronic communication tools continues to revolutionize our working and personal lives. Along with the benefits of e-mail, "instant" messaging, and social networking sites such as Facebook, have been an increasing number of disciplinary issues. Consequences for violations of school district policy have ranged from warnings to dismissal.

IFT field service director Jim Bron suggests school employees carefully look at their district's policy on e-mail and internet use. Most policies prohibit personal use, but a few may allow (limited) personal use "off duty." Bron suggests, "Know what your District's policy says, because it is likely you will be held accountable for its terms."

Although district policy may not make mention of it, technology to monitor everything done electronically exists.

This includes incoming and outgoing e-mail, attachments to e-mail, web site visits, and information communicated during visits to web sites. Most electronic activity is time-stamped, revealing both when and how long you were so engaged. Employers may be able to do this many months after you believe items were "deleted" from district equipment.

Facebook, among the better known of a growing number of social networking sites, has been public for 4 years. An increasing percentage of newly hired staff created their MySpace, LiveJournal, Facebook or other account during their college years. A 2005 study by executive job-search agency ExecuNet found 75% of recruiters surveyed were already using web searches as part of the screening process for professional positions. More than 25% of the same recruiters reported that they had eliminated prospects based on web search

information.

The problem for IFT locals and councils more typically involves photos or information that appears inappropriate to parent(s) or student(s) who then call a teacher's site to the attention of his/her administration. The *Illinois School Code* allows for the dismissal of teachers for "immorality," and this provision may be more broadly interpreted for school workers than for those in most other occupations.

An equally disturbing situation occurs when a student's posting reveals inappropriate student behavior at school or during a school-supervised activity. Discipline for alleged failure to appropriately supervise may be severe, even for a tenured staff member. Cell phone photos and video clips posted on YouTube and similar sites, lack context and can be very damaging. Discipline against a school employee for failing

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Local 571 Constitutional Convention Nears

Amending the West Suburban Teachers Union's *Constitution & Bylaws* is the business planned for Local 571's constitutional convention Thursday evening, February 21. Over 50 delegates representing the Local's Councils and membership, elected last November and December, will review and decide a number of proposed changes.

Alice Kautsky (Cicero), acting as 571 convention chair, began planning the convention early last fall. A Constitution and Bylaw Committee chaired by John Pazol (Leyden), looked at the current constitution and bylaws. Proposals submitted by the December 10 deadline have been finalized and mailed to all elected delegates and alternates for review.

UNION, YES!

from your president

An IFT secretary-treasurer from some years ago, explaining about unions, would always note his acronym for UNION. Tom Holland believed UNION means U 'N I Or Nothing.

Apparently 311,000 new members agree as they added themselves to union ranks in 2007, reversing a downward national trend. The Bureau of Labor Statistics (BLS) released its annual report on union membership in late January, reporting the largest single-year increase since 1979.

Nearly half of all union members live in six states, Illinois being one of them. Although approximately 15% of Illinois workers in 2007 are union members, this percentage actually dropped from 16.5% in 2006. But among occupational groups, education workers have the highest percentage of workers belonging to unions. In 2007, this percentage was over 37%, higher than any other occupation. Protective services, the next highest occupational group, is reported with 35% union membership.

Other BLS statistics for 2007 show:

- Workers aged 45-64 were more likely to join unions.
- Union membership rates were lowest for Hispanic women and highest for black men.
- The public sector union membership rate was nearly five times larger than that of the private sector.

What were reasons for joining a union in 2007?

The BLS report states, "In 2007, among full-time wage and salary workers, union members had median weekly earnings of \$863, compared with non-union employees who had median weekly earnings of \$663. Other BLS reports have shown that union members also are more likely to have health benefits and defined-benefit pensions."

A greater question for our members is, "*Why should members be active within their union?*"

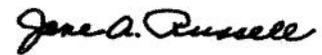
Let's protect what we have already gained through collective bargaining agreements. Have you joined a union committee?

Let's be vigilant about assuring our workplace is a clean, healthy, and safe environment for all. Have you reported problems that have come to your attention to appropriate authorities to be acted upon?

Let's continue to talk to and encourage politicians who legislate laws and provide funding that deeply affect the schools and programs, students, and education workers. Did you write or call your local representative about an issue important to you? Did you vote for union endorsed candidates on February 5?

Remember that without your continued participation, UNION will mean "You and I... or nothing." Please, do your part.

In unity,



Local 571 President



AFL-CIO Responds to BLS Report

AFL-CIO president John Sweeney said the latest (Bureau of Labor Statistics annual report) figures show that "working people are pushing to form and join unions in order to improve their lives, despite record levels of resistance from employers. They know that a union card is the single best ticket into the middle class, especially in today's economy."

If the next Congress passes, and the new president signs, the Employee Free Choice Act, the number of union members could increase significantly. According to research by Peter D. Hart Research Associates in December 2006, 60 million U.S. workers say they would join a union if they could. Often, when workers try to gain a voice on the job by forming a union, employers respond with intimidation, harassment, and retaliation.

The Employee Free Choice Act would allow workers to freely decide whether to join a union. Sweeney says: "It's no accident that the vast majority of workers who formed unions last year did so outside the broken National Labor Relations Board process. All workers deserve a free and fair chance to form a union. It's time for Congress to pass the Employee Free Choice Act to reform our nation's broken labor laws and help rebuild our ailing middle class."

One Bad Idea, Starting Now In New York City

By Bonnie Saracco

The AFT has denounced the idea of designating teachers as either “effective” or “not effective” based solely on test score data, pointing out that testing systems presently in place cannot implement this proposal fairly. The New York City public school system is now experimenting with evaluating 2,500 of their approximately 77,000 teachers based on their students’ improvement on annual standardized tests.

Due to the contentious nature of this proposal, some of the principals in the 140 participating schools have not informed their teachers that they are being scrutinized in this manner. Although it has not been determined whether the data will be used for tenure and firing decisions, deputy schools chancellor Chris Cerf has suggested making it public to “every person in the city.”

New York City’s AFT affiliate, the United Federation of Teachers, has vowed to fight this plan. Unfortunately, the UFT does not even know

which schools are involved because the Education Department has promised confidentiality to participating principals.

UFT president Randi Weingarten has said, “There is no way that any of the current data could actually, fairly, honestly, or with any integrity be used to isolate the contributions of an individual teacher. These tests were never intended, and have never been validated, for the use of evaluating teachers.”

Even those researchers who contend that such tests may be able to identify teacher performance extremes also point out that the tests clearly lack the precision to rank the performance of the vast majority of teachers.

This scheme is also expected to produce serious problems, such as providing a strong disincentive for dedicated teachers to volunteer to work with struggling students and forcing teachers to become even more intensely test-focused.

This conflict between the UFT and the New York City schools may result in a legal battle with national consequences.

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Indian Springs Council Member Earns Master Teacher Certification



Local 571 member Robin Polich is honored for earning Master Teacher Certification by the Indian Springs District 109 School Board. Robin, center, teaches at Frank A Brodnicki Elementary School. Photo provided by Indian Springs Council President Nancy Calkins.

E-mail, MySpace and Blogs

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to report student misbehavior “discovered” electronically is not inconceivable.

Checking eBay during lunch may be a violation, but not result in discipline. Forgetting to log off through an entire work period may be interpreted as personal surfing during work time. Occasional personal e-mail may be tolerated. Hundreds of personal e-mails may be seen as a serious abuse of policy. Illegal online activity will likely be dealt with severely, including downloading and installing unlicensed or unauthorized software.

The convenience of e-mail has contributed to a number of incidents. Accidental, or ill-considered, use of “reply to all” has sent personal messages to unintended recipients. A “joke” or reference that is marginally acceptable in private conversation made public can be worse than embarrassing. Administration may view such a communication as legally harassing or as unprofessional conduct. Even when a communication goes only to its intended recipient, the sender is

6th Congressional District Candidate Seeks Educators’ Support



Jill Morgenthaler, candidate for the Democratic nomination for the United States House of Representatives, 6th Congressional District, speaks with the January Local 571 Executive Board. DuPage88 Council President Brett Blair is in the foreground.

vulnerable to having his/her words forwarded or archived. Many staff members have dealt with similar issues involving their text-messaging children.

Bron suggests the likelihood of discipline, and its severity, increases with the following:

- the nature of a questionable message or internet site’s content.
- illegality of any/all action(s) taken.
- the degree online activity interferes with work duties and hours.
- frequency and duration of violations.
- the individual’s awareness of the alleged concerning the violation.

The tracking software that can be damaging may support a claim of an innocent encounter with an inappropriate web site or e-mail. Opening a message or link that looks appropriate and finding offensive material can be defended when there is evidence that the communication was immediately closed or deleted. A delay, even to display the message or site to office colleagues, is not wise.

Bron’s advice is to “conduct yourself above board when using school computers and e-mail. If you begin receiving a series of unsolicited and inappropriate e-mails, seek the assistance of the computer department immediately. If you have electronic personal matters to take care of, you are well advised to get your own computer and your own e-mail address at home.”

Staff engaged on social networking sites and blogs should not trust “privacy” settings. Content parents or administrators find objectionable is not worth the discomfort of explaining or defending. One corporate personnel officer suggests posting nothing your mother would be uncomfortable seeing or reading. Remember that a hastily written e-mail, blog, or LiveJournal entry critical of coworkers, or describing a wild party or date can be seen as a reflection on your character and integrity. Information about student(s) may even violate confidentiality provisions in the *Illinois School Code*. “The job you save may be your own.”

Local 571 Calls for Executive Board Trustee Nominations

Article V, House of Representatives, Officers, and Executive Board, Section 3 of the Local 571 *Constitution & Bylaws*:

“The Executive Board of Local 571 shall consist of the Officers of Local 571, the Local 571 Council Presidents who serve as Trustees, plus four (4) Area Trustees, at least one of whom is a PSRP member.”

Local 571 Area Trustees must be voted by secret ballot for a two (2) year term in even numbered years. The election must be by all members of Local 571.

Local 571 members interested in becoming an Area Trustee on the Local 571 Executive Board must submit their name in writing to Local 571 **on or before March 10, 2008**, in order to be placed on the ballot. (See the last page of the newsletter for the Local 571 address.)

Elections will take place in each Local 571 Council during the week of April 28, 2008. Members will be notified by their Council president of the time, date, and location of their Council’s election at least two weeks prior to the commencement of the election.

VOLUNTEER AT CPR TRAINING DAYS 2008. THE AREA’S LARGEST CPR TRAINING EVENT, AND HELP EMPOWER OTHERS TO SAVE LIVES IN THEIR COMMUNITIES!

Volunteer opportunities include course instructors, registration, event hospitality, customer service and more!

SATURDAY, FEBRUARY 16
Willow Creek Community Church
67 E. Algonquin, South Barrington

SATURDAY, MARCH 1
Painters and Allied Trades
District Council #30
1950 Sequoia Drive, Aurora

SATURDAY, MARCH 22
University of Illinois at Chicago
Physical Education Building
900 W. Roosevelt Road, Chicago

VOLUNTEER TODAY!
Visit www.chicagoredcross.org
or call 312.729.6222



 American
Red Cross
of Greater Chicago

*Volunteer opportunities exist prior to, after and day-of the event. Children 12 years and older are welcome to volunteer but must be accompanied by an adult.

AFT PSRP Council Addresses Ways to Fight Overtime Abuse

Members of the AFT PSRP program and policy council (PPC) are concerned about a growing problem of schools' evading overtime pay for support personnel, a practice that ultimately hurts unit members and undermines union contracts.

Rachel Martinez, executive vice president of the San Antonio Alliance of Teachers and Support Personnel, told PPC members that principals routinely cut individual deals with employees on scheduling, offering a token amount of flex time in exchange for longer hours overall. These arrangements cheat staff of overtime pay and undercut the union contract, but members continue accepting the situation, under coercion from supervisors who cite local policy or press workers to volunteer for their students' sake.

PPC members agreed. Laura Harper, PSRP chair of the Jefferson (La.) Federation of Teachers, said some administrators give employees a "different job" after their regular work hours—say, as a custodian—with a different employee number, having them punch out and back in to avoid paying overtime.

AFT assistant director Leonard Edmonds spoke of staff punching out, then going back to load buses. "From a legal liability standpoint, that's a disaster," he said. "You're not done working until that kid is gone on the bus."

The plain fact is that a supervisor's preference or a district practice cannot trump the federal Fair Labor Standards Act or state wage and hour laws. Employers must pay for time worked, and where overtime pay is due, it's illegal to evade paying it.

PPC members offered this advice:

- ◆ Help members understand why this abuse is happening and how the union can stop it. Encourage members to report violations to local union leaders who can help members file a complaint with the state labor board and force an audit.
- ◆ Learn the law. These differ from state to state. AFT vice president David Gray, who is also president of the Oklahoma City Federation of Classified Employees, pointed out that

- even if you "volunteer" for a task, when it's your work, you get paid.
- ◆ Guide members to follow the contract.
- ◆ Impress upon members that if they make freelance flex-time deals, they violate the contract and the union can't stand up for them. AFT vice president Lorretta Johnson notes, "If you want a contract, you have to come to work on time and work according to the contract. You can't have it both ways."

West Suburban Teachers Union, Local 571
Movie Ticket & Candy Gift Certificate Order Form

Name _____ Today's Date _____

Home Address _____

Home City/State/Zip _____

Home Phone _____ Home E-mail _____

School District _____ Worksite _____ Teacher or Support Staff
(circle one)

Quantity	Description	Price per Ticket/Certificate	Cost
	AMC/Loews Theatres Check the newspaper for restrictions regarding the use of these tickets	 \$6.00	
	Marcus Theatres Free bag of popcorn with every two tickets purchased	\$6.50	
	See's Candies Gift Certificates NEW—Good for a one (1) pound box of chocolates	\$10.75	

Service Charge (must be included with each order) \$2.00

TOTAL COST FOR ORDER _____

- * Prices are subject to change.
- * Only checks or money orders will be accepted, no cash payments. **\$2.00 service charge must be included.**
- * Make checks or money orders payable to the West Suburban Teachers Union.
- * Paid orders will be mailed within two weeks of receipt of the order.
- * **Only mail orders with the payments enclosed will be accepted during the school year.**

Mail to: West Suburban Teachers Union
 P. O. Box 390
 Westmont, IL 60559-0390

REMEMBER: Only mail orders with the payments enclosed will be accepted.

Revised 7/3/07

A full-sized copy of this form can be found and printed from the Local 571 web site

Elmhurst Council's Bendelow Assumes Duties on Local 571 Web Site

Elmhurst Council member Andrew Bendelow assumed duties as the Local 571 web manager in January. The York High School English and speech teacher is looking forward to further customizing the Local's web site. Bendelow also maintains a course-related site on York High School's web page.

The 571 site has seen a number of improvements over the last several months. In addition to news, information and links posted by the AFT and IFT are articles and resources specific to the interest and needs of Local 571 Councils and individual members.

News important to the Local's membership is prominently displayed on the home page. A column of links provides access to items of more limited interest. Although a general calendar link to Local 571 activities looks ahead three months, a calendar of Retiree Council activities through November is posted on the Retiree Council's page. Morton Council posted a link to a negotiations survey allowing members to complete the survey online. Helpful local resources include printable forms for upcoming Local 571 and IFT event registration and the form for ordering discounted movie tickets and See's Candies.

Access to some information requires online registration. The process takes less than a minute. Other information, including a brief history and overview of the Local. An officer & staff contact list may be viewed by all visitors.

In the months ahead Bendelow expects to use Dreamweaver as a primary tool to further improve the site. Local 571 members interested in having articles, photos, and Council-related information included in future postings should pass ideas through their Council presidents.

The Local 571 web address is as simple as www.wstu571.org — check it out, save it to your "favorites" folder!



AFT Robert G Porter Scholarship Reminder

This program offers four 4-year, \$8,000 post-secondary scholarships to students who are dependents of AFT members, as well as 10 one-time \$1,000 grants to AFT members to assist with continuing education. See the AFT web site for information.

APPLICATIONS MUST BE POSTMARKED NO LATER THAN MARCH 31, 2008

Local 571 Guest Speaker Schedule

Guest speakers planned for future 571 House of Representatives meetings:

March 10 Darlene Ruscitti, DuPage County Regional Superintendent of Schools

May 12 Ralph Martire, Center for Tax and Budget Accountability

Guest speakers are provided time before the regularly scheduled monthly House of Representatives business meeting. All Local 571 members are entitled to attend these presentations, as well as the business meeting. Only elected representatives may vote during the business meeting.

WSTU Calendar

February

- 2/11—571 EB Mtg. - Westmont - 5:30 p.m.
- 2/11—571 HOR Mtg.-Westmont - 6:45 p.m.
(AFT Convention ballots ready for Council pick-up)
- 2/19—The Impact of the Illinois Economy and State Budget on the Public Sector Workforce
Westmont—10:30 a.m.
- 2/21—571 Convention - Westmont - 5:00 p.m.
- 2/26-27—Illinois New Teacher Collaborative
(Hilton Springfield, Springfield Illinois)

March

- 3/10—571 EB Mtg. - Westmont - 5:30 p.m.
- 3/10—571 HOR Mtg.-Westmont - 6:45 p.m.
(Deadline for 571 EB Trustee nominations)
(Deadline for return of AFT Convention delegate ballots)
(Deadline for proposed resolutions to be presented to the AFT Convention)

April

- 4/14—571 EB Mtg. - Westmont - 5:30 p.m.
(571 proposed budget presented to EB)
- 4/14—571 HOR Mtg.-Westmont - 6:45 p.m.
(571 Trustee ballots ready for Council pickup)
- 4/18—571 70th Anniversary Celebration
- 4/23-27—AFT PSRP Conference
(Washington DC)
- 4/26-27—IFT-ULI. - Westmont



Union Messenger

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West Suburban Teachers
Union
Local 571
500 Oakmont Lane
P.O. Box 390
Westmont, IL 60559-0390

Phone: 630-468-4098
Fax: 630-468-4088
E-mail: jjennings@ift-aft.org
Website: www.wstu571.org