

# VOICE

**Bellflower Teachers Association** ✨ **California Teachers Association** ✨ **National Education Association**

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## U.S. Supreme Court Set to Hear Case on Union Dues *Janus v. AFSCME*

The U.S. Supreme Court could soon outlaw public-sector unions from requiring nonmembers to pay dues or fees as part of a lawsuit which aims to dramatically change national labor law. The American Federation of State, County and Municipal Employees (AFSCME) is the primary target of the lawsuit. AFSCME Council 31 has represented the Illinois state workers. The eventual aim is to end mandatory dues or fees for all public-sector workers by setting a precedent at the highest court. Mark Janus and the other state workers are basing their claim on a First Amendment challenge. The U.S. Constitution bans compelled speech, which includes being forced to fund political activities. *Aboud v. Detroit Board of Education* allows unions to require dues so long as nonmembers have the option of paying the nonpolitical fair-share fee. The case will be heard by the U.S. Supreme Court in early 2018. Below is AFSCME Council 31 statement of facts regarding the case.

### What is this case really about?

This case is really about taking away the freedom of working people to join together in strong unions to improve our lives and sustain our families. Real freedom is about more than making a living; it's also about safety on the job, affordable health benefits, having time to care for a loved one who's ill and dignity in retirement. The wealthy corporate special interests behind this case want to take away our freedom to join together in a union because they simply do not believe that working people should have the same freedoms as they do to negotiate a fair return on our work.

### Who is behind this case?

Illinois Governor Bruce Rauner originated this case in a lawsuit he filed against AFSCME Council 31 to try to weaken our union by banning Fair Share fees in state government. When the federal court said Rauner didn't have standing to bring such a suit, he found a lone state employee—Mark Janus—to allow the legal challenge to proceed in his name. The suit is backed by the Liberty Justice Center (an arm of the Illinois Policy Institute) and the National Right to Work Foundation which is part of a network funded by corporate billionaires to use the U.S. legal system to rig the rules against the rights of everyday working people. For decades, the super-rich have used their massive fortunes to gain outsized influence in politics, chipping away at the progress people in unions have won for all working families. Now they want the highest court in the land to take away our freedom to come together to protect things our families need like a living wage, retirement security, health benefits and the ability to care for loved ones.

### What are Fair Share fees?

When employees (in a legally defined bargaining unit) at a particular workplace have chosen to be represented by a union, the union becomes the legal representative for collective bargaining matters. The union is required by law to represent and negotiate on behalf of all of these workers—and all the workers receive the wage increases, benefits and workplace rights that the union is able to achieve. Some workers may not want to be a member of the union—and they are not required to do so—but all workers are required to contribute to the cost of representation, whether through membership dues or a "fair share" fee. Because all the workers enjoy the benefits, job security and other protections that the union negotiates, it's only fair that everyone chip in for the cost of that representation.

### Is anyone ever forced to join a union or pay dues or fees that go to political candidates?

No. The simple truth is that no one is required to join a union and no one is required to pay any fees that go to political candidates. A bargaining unit employee who does not want to be a union member or does not want to contribute toward electing candidates who support working families can choose to be a Fair Share fee-payer—and pay a fee that is calculated to exclude any political expenditures. This is already the law of the land—and nothing in this case will change that.

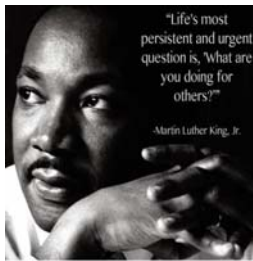
### What is the real impact of the Janus case?

By outlawing Fair Share fees, employees who benefit from the gains that the union makes will not have to pay anything toward the cost of union representation. The wealthy elite behind this case want to drain unions of resources so that working people will not have a powerful voice. When working people have the freedom to speak up together through unions, we make progress together that benefits everyone. We are a nation of people that stand up for our rights, but if the billionaires and corporate CEOs behind this case get their way, they will take away the freedom of working people to come together in a strong union and build power to fight for a better future for ourselves, our families, our communities and our country.

## Fun Contract Facts:

- The elementary normal on-site day is 7 hours and the secondary normal on-site day is 7 hours and 16 minutes. Contract p. 15, B, 1 and 2
- On Fridays and the day before a holiday unit members may leave with their students. Contract p. 15, B, 3
- All shortened PE days are teacher planning. Contract p. 16, E, 2, e
- Elementary staff shall agree upon the necessary adjunct duties for the next school year. Contract p. 17, D, 3
- Site administrators shall make a good faith effort to minimize the number of subject matter preparations required of each secondary teacher, and shall consult with the teacher prior to assigning more than three (3) different preparations, giving good faith considerations to the teacher's suggestions. Contract p. 16, B, 13
- Site administrators shall not assign probationary unit members more than three different preparations without the teacher's consent. Contract p. 16, B, 13
- 12 work weeks of child bonding leave may be taken by members any time within one year of the child's birth or placement. This is in addition to maternity leave and may be taken in mutually agreed upon increments. Contract p. 38 E
- Personal necessity leave may be used in half day increments to participate in activities at your child's school or daycare. Contract p. 41, K, 1, a
- 3 of our 10 sick days can be used as "Unchallenged Days" or no tell days. The use of 2 unchallenged days can't precede or follow a holiday. Contract p. 42, K, 1, i
- New Catastrophic leave: In the case of an illness or injury and you have exhausted your sick leave you may request sick leave donations. Members can donate up to 3 days per year to an individual. Contract p. 43-44, R, 1-9
- IEP Meetings: Any unit member attending an IEP outside of their "normal" contract day will be paid the extra period assignment rate. The extra period assignment rate is 1/6 your daily rate. Contract p. 48, C, b

## CTA Martin Luther King Scholarship Applications Due February 16



CTA offers the Martin Luther King, Jr. Memorial Scholarship to members and their dependents who are from the following defined ethnic minority groups: African American, American Indian/Alaskan Native, Asian/Pacific Islander, or Hispanic. The applicants must be pursuing a college degree or credential for a teaching-related career in public education in an accredited institution of higher learning. Applications must be postmarked no later than Friday, February 16.



Applications are available at [CTA.org/scholarships](http://CTA.org/scholarships).

## Law Gives Teachers the Final Word on Students' Grades



The California Education Code protects teachers' rights to grade students. When grades are given for any course of instruction taught in a school district, the grade given to each pupil shall be the grade determined by the teacher of the course and the determination of the pupil's grade by the teacher, in the absence of clerical or mechanical mistake, fraud, bad faith, or incompetence, shall be final. § 49066: if a parent, student, or administrator challenges a grade the teacher has the right to defend the grade. An Association representative should always be present at such a challenge.

## Tax Information!

The amounts shown below are the annual amount for the calendar year 2017, which covers parts of two different membership years.

### JANUARY – DECEMBER 2017 MEMBERS

Cat. 1 Full Time	\$ 1,089
Cat. 2-A	\$ 566.19
Cat. 2-B	\$ 648.57
Cat. 3	\$ 304.84
Associate	\$ 851.40

### NEW MEMBERS SEPTEMBER – DECEMBER 2017

Cat. 1 Full Time	\$ 401.48
Cat. 2-A	\$ 208.56
Cat. 2-B	\$ 238.72
Cat. 3	\$ 112.20
Associate	\$ 314.92

\* Category 2-A Teaching Assignment greater than 1/3 but not more than 50% of a normal assignment.

\* Category 2-B Assignment greater than 50% but not more than 60% or State Preschool etc. faculty whose salary is less than minimum salary paid regular teachers.