

the PENDULUM

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CON/CON PROPOSAL SOUNDLY DEFEATED

BY DARRELL KUHN

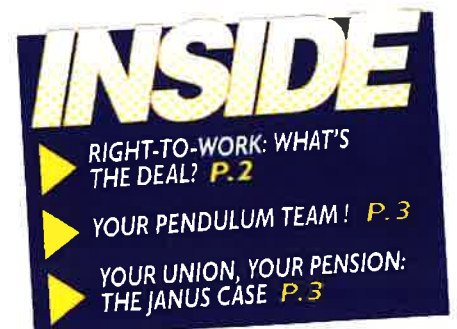
Public education in New York State earned a much-needed victory last month. New York voters made it clear that they did not want a state Constitutional Convention. On Election Day, November 7, 2017, voters rejected the Con/Con, Proposal 1 on the back of the ballot, by a tally of 2,745,899 (83.21%) to 553,960 (16.79%). Newburgh Teachers Association President Stacy Moran said the Con/Con's turnout is a tremendous victory for the labor movement. Members from both the pri-

vate and public sector worked together with building trade unionists to get the message out that a Constitutional Convention would be dangerous for all New Yorkers. "I am very proud of the NTA members who became engaged and worked so hard to make sure that public education, our right to collectively bargain, and our pensions were kept safe from the politicians and their wealthy backers," Moran said.

A Constitutional Convention could have been disastrous for public education in the state. Public school employees' working conditions could have been drastically altered, with no adherence to health and safety standards and work hours. Unions could have been destroyed and contracts could have become useless. Educators' pensions could have been gutted. Moran said that the NTA's campaign against the Con/Con began last school year. She visited every academic building in the Newburgh Enlarged City School District to speak to their

faculties about the coming threat, and they in turn spoke to their friends, family, and community members. The NTA then hosted a training session last spring at its 52 Pierces Road headquarters in the City of Newburgh for members who were willing to be the "point people" for spreading the message. Moran explained that labor relations specialists from the New York State United Teachers presented information about what public school educators could lose if a Con/Con was held, and they also presented examples of propaganda the "VOTEYES" side would use to promote their position. "I then spoke at the union meetings for the Newburgh firefighters and police," said Moran. "I sent President's Updates to NTA members via email about the Con/Con and how to register to vote. We continued our campaign with magnets, buttons, and phone banking. Our members made more than 13,000 phone calls to fellow NYSUT members in order to make sure that they not only knew why they should vote NO, but also to en-

CONTINUED PAGE 2



NTA COFFEE TALK WITH ENL TEACHERS YIELDS POSITIVE RESPONSE BY CAMILLE ALAIMO

On October 3, 2017, the Newburgh Teachers Association sponsored a Coffee Talk for all English as a New Language teachers. Susan Lafond, an ENL Specialist at New York State United Teachers, spoke about the upcoming changes to Part 154, the classification of ELLs and the new New York State Identification Test for English Language Learners. The event was widely attended by co-teachers in integrated classrooms as well as ENL teachers. The Coffee Talk included a question and answer session, where specific concerns about the Annual Professional Performance Review process and the scoring of the 2017 New York State English as a Second Language Test were addressed. NTA president Stacy Moran successfully negotiated a substantial number of appeals on behalf of the members, a relief to

all involved. Regarding APPR, 50% of an educator's performance score is based on classroom observations. This was determined through a negotiation on the Newburgh Enlarged City School District level. The other 50% is based on state standardized test scores, which is the non-negotiable portion the New York State Department of Education implemented through Governor Andrew Cuomo's directive. Lafond spoke of the upcoming changes to the NYSITELL, a tool used to assess the English proficiency level of students who are new to the United States. As of February 2018, the revised intake assessment will include eight levels. A Language Proficiency Team will then make recommendations to the building principal. After Superintendent of Schools

approval, ENL students will get placed in their appropriate classes.

The exit criteria from an ENL program are as follows: -A score of Commanding. -Students in grades 3-8 must reach the expanding level on NYSESLAT and a grade of 3 or more on the state English Language Arts exam in the same year. -Students in grades 9-12 must reach the expanding level on the NYSESLAT and a grade of 65 or more on the state ELA Common Core Regents Exam in the same year. -All Commanding students are entitled to two extra years of service.

NYSUT appointed Lafond as the new ENL specialist who can provide members with updated information including fact sheets and parent brochures. Regina Tomlinson, an ENL teacher at the Vails Gate Elementary School, is the NECSD representative who will attend meetings in Albany regarding all things ENL related.

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FROM COVER

sure that they would actually vote NO on Election Day." More than 120 current NTA members participated in the phone banks, along with eight NTA retirees, two Civil Service Employees Association members, and seven School Administrators Association of New York State members. The phone banks were held at the NTA headquarters. NTA Vice President Matt Scully said the NTA phone banks organized to oppose the Con/Con were effective. The phone banks, Scully said, developed a rapport among union members.


"I am glad to see so much support coming from within our group," Scully said. "After all, we have a lot at stake. I know I can count on our mem-

bers over the next few months as we face the next challenges."

The next phone banks, Scully said, will be in May of 2018 for the NECSD Board of Education Election and Budget Vote.

Susan Brescia, a special education teacher at the Newburgh Free Academy Main Campus, participated in the Con/Con phone bank. She said that New York State voters were smart to reject the Con/Con. Not only did a NO vote protect the rights and benefits of thousands of hard-working state citizens, it also protects many environmental issues, like preserving our beautiful state parks. "In the current political climate of our country, it is encouraging to see how New Yorkers still have each others' backs," Brescia said. "The NTA's phone banks were effective in getting the message out to our fellow NYSUT members. Members worked on the phone banks in October and November, reaching hundreds of people." Unions are now looking ahead to the Janus vs. the American Federation of State, County, and Municipal Employees

(ASFCME) case, which the United State Supreme Court will likely hear arguments about in January and announce their decision in June of 2018. Moran explained that many union members are not aware that this case is a direct assault on unions by the "billionaire class" and the politicians that do their dirty work. "They want to destroy working people's right to fight for fair wages and safe working conditions," stated Moran. "It is by far the biggest battle we have faced in decades, but I am confident that we, as a union, will persevere because we will educate and engage our members, just as we did in the fight against the Con/Con." Moran said the NTA has already hosted its first training session concerning the Janus case for delegates, alternate delegates, and committee members. These members, Moran said, will be turn-keying this training in every school building throughout the district very soon. "Our goal is to come out of this struggle stronger and more united than before," exclaimed Moran.



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MON 8am - 3:15pm
TUES 10:45am - 6pm
WED 8am - 3:15pm
THURS 7am - 2:15pm
FRI 7am - 2:15pm

RIGHT TO WORK: NOT WHAT IT SOUNDS LIKE

BY CAMILLE ALAIMO

Upon hearing the words "Right to Work," one envisions secure jobs with decent wages, adequate health insurance and the ability to save for retirement. Isn't it a given that everyone has a right to work? After all, paying the bills is not a right, but an obligation. This deceptively simple misnomer could not be further from the truth. Ironically, "Right to Work" has nothing to do with protecting jobs. It actually serves to undermine job security and working conditions. The "Right to Work" Law states that employees who choose to opt out of paying union dues are entitled to the same union benefits as paying members. Without dues, it is impossible for unions to maintain their current benefits. The unfortunate reality is that more than half of the states in the U.S. have adopted the "Right to Work" Law. New York might very well join their ranks in the near future, unless the union membership rises to voice

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the very rights the union forbearers fought so hard to secure. Right to Work is detrimental to all of us. If 51% choose not to pay union dues, the union must be dissolved. This is the law. There is no choice. In essence, Right to Work seeks to do away with unions' power to negotiate a contract, known as collective bargaining. Without the power to collectively bargain, the worker will have no say over any aspect of the job. It is only through a collective unified stance that unionized workers will continue to enjoy the benefits that have been fought hard for for more than five decades. In his article "The Right to Work Con," Andy Schmooker writes, "These laws are not about liberty.

Their real purpose is to tilt the balance of power in favor of employers at the expense of their workers. If workers have to deal one-by-one with a giant company, they will be on the short end of a huge imbalance of power between man-

agement, which is unified, and the workers, who are each on their own." Imagine dealing with the many issues of the job as an individual instead of counting on the energy and strength provided by Newburgh Teachers Association leaders. The raison d'être of unions is to negotiate for adequate compensation and working conditions. Unions are responsible for the creation of the middle class following World War II. They allowed workers to own their own homes, educate their children, and have a decent standard of living. In his July 2017 article, Schmooker also states, "The recent hollowing of the American middle class tracks perfectly with the declining power of (labor) unions. As unions have weakened - with membership declining from one-third to a mere one-tenth - the proportion of the national income going to wages has fallen to the lowest point in living memory."

Right to work drives down wages and, as a result, increases poverty. Deceptively simple in its terminology, "Right to Work" is a massive misnomer. Much like "Race to the Top" and "No Child Left Behind," it is an inaccurate distortion designed to sway public perception. *More precisely, it means Right to Work for Less.*

THE PENDULUM TEAM

IT LANDS IN YOUR MAILBOX SEVERAL TIMES EACH YEAR. WE HOPE, ALONG WITH THE NTA WEBSITE, YOU SEE THIS AS A SOURCE OF NTA ISSUES, CONCERNS AND INFORMATION THAT IS VITAL FOR THE COLLECTIVE COHESION OF A TRULY GREAT TEACHERS' UNION!



DARRELL KUHN • EDITOR & WRITER

Darrell is an English teacher at the Newburgh Free Academy Main Campus. This is his eleventh year teaching in the Newburgh Enlarged City School District. Before becoming a teacher, Darrell was a newspaper reporter for six years. He wrote for three different newspapers. Two out of those three newspapers have gone out of business. He hopes *The Pendulum* does not suffer the same fate. Darrell has lived in New Windsor for nearly 10 years. He is married to NFA-Main Guidance Counselor Bertha Hurtado-Kuhn.



JEFF GEBHARDT • DESIGN & PRODUCTION

Jeff was probably caught drawing a cartoon of some administrator during a faculty meeting when he was asked to draw for *The Pendulum*. Thus, the cartoon 'Class Acts' was born. Jeff has been involved with the publication for nearly all his 31 years in the Newburgh school district. He is a commercial artist and teaches Visual Communication and Design at NFA Main Campus.



CAMILLE ALAIMO WRITER

Camille Alaimo is the newest member of *The Pendulum* team. Camille has been an English as a New Language teacher in the Newburgh Enlarged City School District for 21 years. Camille has been teaching at the Newburgh Free Academy Main campus since 2003. In addition to her commitment to Second Language Acquisition, Camille is a certified yoga instructor and a teacher consultant for the National Writing Project and the Hudson Valley Writing Project. Camille enjoys wearing tall shoes and listening to podcasts.

NTA LEADERSHIP CONFERENCE 2017

BY CAMILLE ALAIMO

Saving our Union was the topic of the November 4, 2017 Leadership Conference at the Newburgh Teachers Association headquarters. NTA President Stacy Moran, along with New York State United Teachers Labor Relations Specialist Angela Pace, presented the upcoming challenges that face unions on the national and state levels. Of particular concern was the upcoming Janus vs. the American Federation of State, County, and Municipal Employees case, which could significantly weaken labor unions. No union means no contract. This gives employers the opportunity to wipe out all current benefits and rewrite the terms of workers' employment. Although we may be experiencing the benefits of a positive relationship with district leaders, it is also true that change is constant. Pace said, "Unions are the last vestige of civil rights, and this is irking the billionaires. Although not flawless, in a capitalist society, there are very few ways that workers can protect themselves. It's because of unions that we have weekends. Unions pushed for a five-day, 40-hour work week." If New York becomes a Right to Work state, educators' salaries and working conditions could, and likely would, suffer. In addition, class sizes could get out of control. Performance appeals could become non-existent. The current NTA contract is the result of more than 50 years of negotiating. Consider the many ways the NTA has stepped up to ensure that educators' jobs remain viable. NTA representatives have negotiated every part of the contract. Unions must be saved.



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