



From the Lighthouse in the West to the Lighthouse in the East

THE BEACON

BOCES Educators of Eastern Suffolk
Union Local 3037



President's Report Thelma Shaw

Taking the Bull by the Horns

With the hustle and bustle of holiday shopping and cooking over, a new year was ushered in at the stroke of midnight on Dec. 31st. With it are the hopes and dreams of not only the BEES membership, but people across the nation. Our thoughts turn toward what the new year has in store for all of us and hoping that it is a year filled with peace, harmony, good health and one that holds a brighter tomorrow for all of us.

We have a new governor who is confronting a state deficit of more than 9 BILLION DOLLARS for the 2011-2012 year. Think of that, 9 billion dollars. It takes your breath away when you stop and think of all of the ramifications of that deficit. New York State's finances have deteriorated substantially in the past few years and it is highly unlikely that there is money hiding under a rock that can be found for school aid. In addition, we know that he has set the tone of fiscal austerity in his inaugural address.

Governor Cuomo is calling for reductions in state aid to schools, merging agencies, tax caps, competition for state aid among school districts, and freezes for state employees.

The good news is that we have "taken the bull by the horns," so to speak. We have been proactive and are "sharing the pain" being felt across the state. It was a hard choice for everyone. We have sacrificed, and not only does it feel right, it was the right thing to do. While it won't save everyone's job, it will save jobs and services.

I was inspired and felt upbeat when I heard Governor Cuomo state, "I don't see this as grim. If I thought it was grim, I wouldn't have run. I would have moved out of state." We know that changes, and probably some that are drastic, are on the horizon. We know that our districts are facing severe cash crunches if the tax cap on property taxes is passed. We will watch this, and as a union, we have already been involved in conversations about the budget for the 2011 – 2012 school year and what it will mean to our membership. As soon as we have concrete news and decisions, we will let everyone know.

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President's report continued...

Of concern, and we will all keep a watchful eye on this topic, are Cuomo's comments about concessions to pensions. Pension reform has been a hot topic for the past few years. As you know, as of last Jan. 1, 2010, a new tier was added to both the TRS and the ERS.

This held no changes for any of us. While I want to assure you that we are told that both of these systems are in solid financial shape, ensuring their continued security is on everyone's minds. We don't want to see New York's retirement system end up in the same serious trouble as Illinois, California and New Jersey. These systems are in crisis as we speak.

We are all currently enrolled in what is called a Defined Benefit pension system. (nicknamed by critics of the system as the Golden Nest EGG)

This provides retirees with a guaranteed income for life, typically based on years of service and final average salary. The move in Albany and Washington is to change this benefit into something called a Defined Contribution Retirement Account.



This is similar to your typical 401k account.

Retirement income is based on the amount of money that gets accumulated in the individual's account.

This WOULD NOT affect any of us already in the TRS or ERS.

It would affect future members if this kind of legislation is approved. We, as a union (NYSUT/AFT), will stay on high alert to protect what we currently have for our future members.

In the next few weeks, everyone (blue and yellow contract members) will be receiving a copy of the MOAs that were ratified in November. They will be distributed by your building representatives. Please attach that to your current contract. That will become your new contract until the expiration dates of June 30, 2014 for blue and June 30, 2013 for yellow. In an attempt to continue to go green and save money, I asked the agency not to print new contracts for our 1500 members. Since the majority of our language did not change, it did not make fiscal sense to reprint them.

If you do not have a contract, please let your bldg. rep. know and he/she will get you one. Your contract should be handy along with a copy of your pro practice agreements. Additionally, you should review the Staff Handbook. Your signature means that you are **REQUIRED TO READ IT.**

We will have a better idea in a few months where the budget stands and what shape we are in as far as tuition increases and staff excessing/reductions of services. Please watch the website and my next BEACON article for that information. In addition, we will have our new seniority lists by the time this BEACON is out and you can start asking your bldg. reps for your number if you are concerned about your job security. You need to go to your bldg. rep. who will take your name and forward it to your area VP. Don't call Human Resources, an area VP directly or me. We have a chain of command and it works. Our entire Executive Board and Building Representative Council are very good at the jobs that they were elected to do. Let them work for you.

Mid winter recess will be upon us soon after this BEACON hits the mailboxes/website. Enjoy the week and whether you are going on a vacation or just catching up on chores at home or sleeping late, I hope you have a relaxing and healthy week.



Yays and Nays

With this year’s BEES contract proposals and ratification meetings, conversations and comments regarding the voting procedure grew intense.

"How can we have a voice vote or a hand vote?"

"This method should be changed."

"For this particular situation it should be a written ballot."

"Do we need a quorum?"

"I cannot believe you are going to have us vote in this manner."

And on it went. The concerns and questions reminded me that even written procedures that have been adhered to over a long period of time seem “brand new” when they matter most. Having these written by-laws in the form of a constitution gives structure and comfort for the transparency this BEES Executive Board desires. The document, “Constitution of the BOCES Educators of Eastern Suffolk” was written in 1995 to accommodate the merged BOCES and creation of the BEES. Since then, in March of 2008, abiding by the words of that very document, two-thirds majority of the voting membership agreed to revision and amendments brought forth.

The voting procedures have remained unchanged and dated back prior to the merge. The exact wording from the constitution:

Section 16.01



(B) “The general membership will be asked to ratify the agreement by a voice vote. If a voice vote is too close to being conclusive, then a show of hands will determine the outcome”.



(C) “A simple majority vote will be required for ratification.”

It just might surprise some of you to know that the very same procedures are used at NY-SUT’s Statewide Representative Assemblies where a few thousand of us representing over 600,000 of you come together and participate in voting. It is orderly, respectful and complete in a reasonable amount of time. In the large forum it is quite interesting to experience.

Whether it is the constitution, our contracts, or law, we respect the guides we are given and know they were developed within a democratic process. Yes, we question, reread and may wish there were words in areas that remain silent, but we honor the standard set before us.

Finally, about those YEAS put forth on November 23, 2010 agreeing to contractual concessions. There is much gratitude to be expressed for the selfless act you chose. Feel proud. You stepped up to help others and it will not be forgotten.



First Vice President

Ray Stenberg

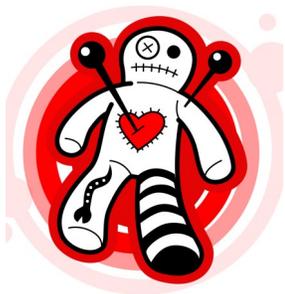
Under Attack

I am stuck in the house on our first snow I am stuck in the house on our first snow day of the year and decided that this would be a perfect opportunity to write my Beacon article. Unfortunately, I have a sneaky suspicion that we will have a few more days off before the arrival of spring. I hope that everybody had a restful and joyous time with friends and family and that you are eager to begin the second half of the school year.

Politically, this is going to be a tough couple of years for us. Last night, I attended a meeting at the Long Island NYSUT office in Hauppauge. Representatives from all of the Suffolk County teachers' unions were there to hear the news and to begin formulating battle plans. The term "battle" sounds serious and, let me tell you, it is. Lee Cutler, from the NYSUT E-Board stated to us last night that Governor Cuomo has made it quite clear that he is ready and willing to begin a long term battle with the "special interest groups."

We are one of the larger of the groups that he is poised to attack. He has a war chest filled with millions of dollars that has been given to him by donors and wealthy private corporations and he has already begun using that money to harm us. All of the benefits that we have worked so hard to obtain are being closely looked at by him and his administration.

Our health insurance, pensions, and union protections are under attack and he has managed to convince the general public that we are the enemy and the reason why taxes are so high. It was stated last night that 70%



of the public has expressed anti-teacher union sentiment and that a tax cap will solve all of the problems in New York State.

As educated professionals, we know that this is not true and that this kind of drastic measure would wreak havoc on school district budgets, which would ultimately trickle down to us here at BOCES. The Governor ran his campaign insisting that, if he were elected, a tax cap would be enacted.

Even Sheldon Silver, the Assembly Speaker, has said that this is something that he would consider. NYSUT has acknowledged that some form of a tax cap will happen and that they want to be involved in the process so as to minimize the damage that we know will occur if such a measure were to be enacted into law. NYSUT, which has led successful fights against tax caps in 2007, 2008 and 2009 is making its position crystal clear.

To quote our NYSUT President Richard Ianuzzi, "Is it possible to create a responsible tax cap proposal that gives school districts that are succeeding freedom to continue to succeed, and those that are struggling the ability and resources to begin to succeed? Is it possible to do so and still maintain essential public services and provide for the needs of education and health care?"

NYSUT is willing to work with the Governor and Legislature to find out. That means, first and foremost, having the full support of NYSUT local leaders and members to fight for the services that New Yorkers need and the essential jobs our members hold.

**Bear in mind that this battle doesn't just involve us.
It involves all of the public service unions in the state.**

For example, the Governor wants to disregard contractual benefits that the state CSEA workers have negotiated and impose a wage freeze for state workers. Our NYSUT leadership has reached out to the union leaders in other fields with hopes of working together to help solve problems and not make them worse. A united union front with over a million supporters may, in fact, be what we need to win this battle.

What can you do? Well, it's simple. Just do something to help. How many of you have gone to nysut.org and clicked the mouse a few times to send letters to the Governor and the Legislature? How many of you have gone to Albany to fight for yourself, your families, your colleagues, and our kids? BOCES Lobbying Day is on February 15th. So far, including myself and two other BEES E-Board members, we have only 8 people signed up. I am pleading for you to get involved in the political process before it's too late. YOUR PARTICIPATION MATTERS!



Area V.P. Para Educators

Gail Reissman

Appointments and Absences

Happy New Year! I hope everyone had an opportunity to get some well deserved rest over the holiday break and enjoy time with family and friends. In this article, I would like to take the opportunity to answer some recent questions:

What is a *probationary appointment*?

A position with salary and benefits and a job secured past June 30th, *if the enrollment numbers hold.*

What is a *sub appointment or regular sub*?

A position hired only through June with salary and benefits. This is what we used to call a special appointment. Typically, this is used to fill the position of an employee when they are out on approved leave.

Half Day Absences – Half day absences are taken by the clock. In other words, if an employee's lunch time falls during the period when he/she is out on approved time, he/she is not compensated or given an extra lunch period

during the portion of the day he/she is at work. If the lunch time occurs during the half day the Para is scheduled to be at work, then he/she *does* take a lunch time.

Return from Leave of Absence – When a Para educator returns from a leave of absence, they are guaranteed assignment back in the same *program.*

Hepatitis Shots – All Para educators are eligible for the hepatitis vaccine series at no cost through a BOCES approved clinic. If the employee chooses to have the shot given by their own physician, BOCES will reimburse the employee up to \$200.

As always, if you have any concerns please see your building rep., they will be able to answer your questions or know who to contact to get answers for you. Wishing you a Happy, Healthy New Year!



Benefits Officer

Bob Love

It Benefits You to Know

I hope everyone had a happy and healthy winter recess. By the time you read this the year will be halfway over.

Health Insurance – Only

Yes, that's right. If you are a part-time teacher, BOCES will pay for health insurance coverage **ONLY**. According to the Blue contract, a part-time teacher "must be working at least 0.4 F.T.E. to be eligible for health insurance coverage at BOCES expense." As a part-time employee, BOCES does not pay for life insurance or dental insurance. Part-time teachers may purchase life and/or dental insurance "with the approval of the insurance carriers...at their own cost by payroll deduction." Similar language regarding part-time aides/assistants/sign language is in the yellow contract.

Retiring with Health Insurance

If you are currently being covered by your spouse's health insurance, either because you have taken the health insurance sell-back waiver or because you are a paraeducator hired after July 1, 1992 and are retiring this year, you need to contact human resources two months before your retirement date and evaluate switching to health insurance coverage.

Once you are retired you cannot pick up health insurance through BOCES. Should your spouse lose their health insurance or pass away and you do not have your own health insurance policy you will be without coverage.

Your Retirement

Speaking of retirement, have you scheduled your retirement counseling? If you are within five years of retirement you should schedule a session by calling 1-800-348-7298 ext. 6270 if you are in the NYSTRS or 1-866-805-0990 if you are in the NYSERS.

Dependent College Students

If you have a dependent student attending a post-secondary institution, you still HAVE to submit a dental affidavit if your dependent is over 19 years old. You no longer have to submit a health affidavit as a result of Patient Protection and Affordable Care Act. Contact your insurance carrier(s) for the correct form.

Remember, as in everything that is important – **KEEP COPIES OF EVERYTHING** I can be reached at beesvpcb@optonline.net or at Milliken Technical Center 244-5858.



Long Island Teachers Benevolent Fund Scholarship applications will once again be available to seniors graduating in June 2011 whose parents are members and who will be attending a post secondary institution on a full time basis. In the past 5 years we have had over 17 winners.



Applications by the beginning of February 2011. In order for you to receive an application you must email Thelma at Beeshivepres@aol.com. Remember to include your building location. Be aware of filing dates required for submissions.



Completed applications should be sent to Thelma Shaw at TSP at BLC.





Occupational Hazards



Greetings to you, my Union brothers and sisters. I hope this article finds you healthy and free of the many viruses, bugs and other things that always seem to make the rounds of our programs at this time of year. Unfortunately, it's one of our "occupational hazards."

On another note, we are all busy writing our IEP's, learning new systems, making parent contacts, and attending our many meetings, while still providing our students with the best services and direct instruction in New York State. Talk about multi tasking!

I've said it before and I will continue to say it, you are the treasures of Eastern Suffolk BOCES.

That being said, I'm sure you are all aware of a systematic effort throughout the country to attack unions in general and education and public service unions in particular. There is a concerted, well funded effort to turn non unionized working class Americans against their unionized counterparts.

Logic tells us that we working people are natural allies in the fight for protection from unfair labor laws, divisive exploitation and, above all, the right to a living wage. Yet these interests are angered by the organization, strength and solidarity that our unions provide.

They seek to divide union from non union labor, and through divisiveness, help break the unions, pay little or no benefits, renege on pen-

sion promises by pitting worker against worker to drive down wages. They seek to blame budget deficits and high taxes on "the unions". By blaming it on "the unions," they hope people will not see the sense in implementing surtax on those making in excess of \$1,000,000.

So what do we do? What do we have to push back against those that would seek to destroy all we have fought so hard and worked for? Well my friends, first and foremost we have each other. We have the solidarity to stand behind the BEES, NYSUT and the AFT and to support them in all of their work in the fight for economic justice, upholding pension commitments and keeping in place those laws that protect our members from many potential workplace abuses.

A huge part is up to us. Contributing to VOTE COPE is a given. We are fighting against interests that are extremely well funded. Your VOTE COPE donation helps put us on a level playing field. Speak up in defense of our union, not in a divisive way, but in a way that reflects that we working people have much in common with our non unionized friends. This will not be an easy fight. 2011 is just the beginning.

Take heart, my friends. We have strength, courage and each other. We have our union. I don't know about you, but I'm up for a good fight.

Solidarity and faith, Jim.

Find the latest union news and search through copies of past BEACONS at our website BEESBEACON.org

Are you up to the challenge?

If you're like most people, you make New Year's resolutions only to break them soon after. NYSUT Member Benefits challenges all NYSUT members to make and keep this one resolution: I resolve to draw up (or update) my will.

The importance of having a will to protect your loved ones and your wishes cannot be stressed enough. This is especially true if you have children under the age of 18. A will allows you to name a legal guardian(s) for your children. It also ensures that your estate will be distributed according to your desires. Without a valid will, these very important, personal decisions are made by the state.

The Legal Service Plan endorsed by NYSUT Member Benefits Trust is a convenient vehicle to help you meet this challenge. It provides one simple will or update, free. A simple will provides for the proceeds of one's estate to be distributed to specifically named beneficiary(ies), with an alternate distribution plan in the event the primary beneficiary predeceases the writer of the will. With a simple will, proceeds are to be distributed outright with no conditions attached. Placing a condition on a bequest requires a trust, which can be obtained from the Legal Plan for a fee.

In addition to the simple will, you'll receive a durable power of attorney, living will and health care proxy, all important documents to have in place *before* the need for them arises.

The plan also gives you access to unlimited, toll-free legal advice from plan attorneys. These attorneys will make phone calls and write



third-party correspondence, at no charge, to resolve personal legal situations on your behalf before they become major problems. In addition, when you enroll in this plan, you receive two coupons for free, hour-long consultations with a plan attorney.

Is there a real estate transaction coming up in your near future? Do you have any traffic violations? You can receive legal assistance on a variety of personal legal matters when you enroll in the Legal Service Plan. If the matter can't be resolved over the phone or with a letter, you will be referred to a plan attorney in your area, who will charge you \$200 an hour or 40 percent off the usual hourly rate, whichever is lower. Optional riders for Elder Law services and for business protection can be added to your legal plan coverage.

Don't put it off any longer! Draw up your will. Enroll in the Legal Service Plan and use its service to help you, or do it

another way, but just do it! The peace of mind you'll have once you know you have taken care of your loved ones far outweighs any unpleasantness associated with making up your will.

If you happen to belong to a local association that provides a group legal service plan to you through the local or its benefit fund, remember to take advantage of the plan's benefits.

If not, you can enroll in the voluntary plan online at www.memberbenefits.nysut.org, or view and print a descriptive brochure and enrollment form online.

You can also call NYSUT Member Benefits at 800-626-8101.



The Legal Service Plan provided through Feldman, Kramer & Monaco, P.C. is a NYSUT Member Benefits Trust (Member Benefits)-endorsed program. Member Benefits has an endorsement arrangement of 33.33% of annual participation fees received for this program. All such payments to Member Benefits are used solely to defray the costs of administering its various programs and, where appropriate, to enhance them. Member Benefits acts as your advocate; please contact Member Benefits at 800-626-8101 if you experience a problem with any endorsed program. Agency fee payers to NYSUT are eligible to participate in NYSUT Member Benefits-endorsed programs.

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