



## What Have You Done For Me Lately?

*Michael Novick  
AOEC Organizing Sub-committee  
Chapter Chair, Central Adult High School*

**M**y first teaching jobs here were at Hollywood CAS and a private English language school with students from oil-wealthy regimes. I was struck by how much Hollywood influenced everyone. L.A. was the land of the deal and the ethic of “what have you done (for me) lately?”

Twenty-one years on, let me share with new (and not-so-new) teachers what UTLA has done for me (and you) lately. UTLA got LAUSD to back off its plans to furlough teachers (cut our pay) and to make us pay personally for health benefit cost increases. The union is pressing to end the unfair social security “offset” that cuts teachers’ potential retirement income. On behalf of DACE teachers, UTLA got the district to correct a pay formula that locked new teachers permanently at “step one.” Instead, thanks to UTLA, new part-time teachers can accumulate hours over two years to gain step advancement.

Teachers at private language schools are not getting much more now than I did two decades ago. However, my hourly wages with LAUSD are more than 300% what they

were then, thanks almost entirely to pay increases negotiated by UTLA. I used to be a “freeway flyer,” combining a 10-hour assignment in LAUSD with hours in other districts and private employers to make ends meet. I was able to obtain tenure and full-time hours thanks to UTLA and efforts of teachers who built chapters, built the adult/occupational committee of the union, and walked the picket lines when necessary (as I did myself). There isn’t another adult school program in the state with the combination of salary, benefits, and chances for job security we have.

Much remains to be done, because we have so much to overcome within the culture of the district and state. To win those gains — added steps and columns to our salary schedule, tenure for occupational teachers, restored sub pay, improved security and benefits for part-timers — we need to strengthen the hand of the union that can negotiate them for us. The union can really do for you only what you do for yourself — through collective action.

See *Lately*, page 3

## Tenured Teachers: *Official Notice*

*Ernest Kettenring, AOE Committee Chair*

**T**he contract established that as of July 1, 2001, tenure positions were based upon a Full-Time Equivalent of thirty hours per week.

To verify compliance with the contract regarding requested assignments, UTLA needs to know the names of affected teachers. If you are tenured and have requested a 30-hour assignment but not received it, we need to know who you are. Please notify Ernest Kettenring (Evans CAS) in writing. Any details you provide, such as your school, how many hours you have, and when you requested an increase in hours would be helpful. **All information submitted will be treated as confidential.** ❖

### *Seeking Thirty Hours?*

**If you want a full-time assignment but have never requested it, you should notify your principal immediately that you want a 30-hour assignment. If you do not receive at least thirty hours when an assignment for which you are qualified becomes available, notify us. Written proof of your request may facilitate future resolution of this issue.**

# Douglas Hoffman, Jefferson CAS

*First in an occasional series of chapter chair profiles*

*Julie Carson, AOE Committee Secretary*

Douglas Hoffman, chapter chair at Jefferson CAS for his second year, is a native Californian who grew up and went to school in the Whittier area. He attended college at USC and Mount St. Mary's, earning degrees in Religious Studies and American Studies. His path into adult education came through his volunteer work at Manual Arts CAS. He currently teaches in the Basic Skills program (reading) and has also taught ESL and academic classes.

Don't let his quiet demeanor mislead you into thinking he's a man without convictions. A repeated theme when you talk to Doug is his drive and determination to help others and make the world a better place. That's why he does volunteer work at a soup kitchen on skid row, works at his church, and teaches for a living. He became chapter chair of his school because a colleague heard him speak out on social issues and decided Doug would be a good representative for teachers there.

Beyond teaching, Doug would like to travel more extensively. He wants to visit Europe again, and would especially love to get to Central and South America. This summer he flew to Ohio to visit family, then drove back to Los Angeles so he could meet and experience "some of the extraordinary people and places of the country." His dream is to someday get his pilot's license.

Although Doug is a fairly new chapter chair, he's taken his role seriously by participating in many AOEC activities. He took our chapter chair training last March, was present at a CTA Adult Ed caucus in May, attended this summer's leadership conference in Palm Springs, and is a regular attendee at our monthly committee meetings. Doug is a fine example of a person who has put his goal of wanting to ensure teachers' rights into action. It's through the dedicated volunteer actions of people like Doug Hoffman that adult and occupational education teachers will get the respect they so deserve. ❖



*Doug Hoffman*  
*Chapter Chair, Manual Arts CAS*

*And now...*

## A Word from Mr. Hoffman

My colleagues first entrusted the duties of chapter chair to me last year. My intention has been to support my colleagues and ensure that we are afforded the protection of our rights granted to us in the contract. This requires a greater understanding of our contract and a higher level of communication. The variety of teaching times and locations makes meetings difficult, but I am confident faculty members will make an effort to get involved. Furthermore, there are a number of supportive teachers on the AOEC who are teaching me my responsibilities as well as ways to have a more informed faculty. I look forward to the task this school year and hope we can continue to make Jefferson CAS the best it can be for the students we serve.

*Doug Hoffman*  
*Chapter Chair, Jefferson CAS*

## *AOEC Meeting Dates*

Unless otherwise notified, all meetings will be held on Fridays, at 6:30 PM, at UTLA headquarters, 3303 Wilshire Blvd.

2003	2004
September 19	January 23
October 17 4:30 PM (time change)	February 20
November 14*	March 26
	May 14*
	June 11 (time & place)
*date change	TBA [party?]

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# Illness Leave and Doctors' Notes

*Ernest Kettenring, AOE Committee Chair*

Under the Education Code, teachers receive the equivalent of one day illness leave for every twenty days worked (5%) per year, credited to their cumulative leave time every July 1. A full-time (30 hours/week) teacher should receive 61 hours illness leave time per year. This time can be used for either illness or personal necessity (Article XII, 12.0-14.1). If you exhaust your accumulated time, you can access half-time pay.

Administrators can “use whatever means are reasonably necessary” to verify the reason for a claim under illness leave. Most schools accept the employee’s statement that s/he was out ill. An absence of more than five days requires a signed doctor’s statement. Some administrators, in an effort to minimize illness leaves, require a doctor’s note for even one day. Clearly, many of us do not go to a doctor if we are ill for one or two days.

Is it “reasonable” to require a doctor’s note for a single day’s illness? Not in most cases. Can the school call you at home to verify your illness? Yes, that would be a reasonable action. However, you are not required to answer the phone if you are ill, and the district should not be able to deny you pay on that basis.

As with other parts of the contract that make reference to reasonableness, this is a grey area. You cannot be required to produce a doctor’s note or answer the phone if you are out for less than five days. The administrator, however, may refuse to pay you. That doesn’t mean s/he is right. If you should have the bad fortune of having an administrator who acts unreasonably, what do you do? You probably didn’t go to the doctor when you were sick. Do you now go to a doctor and explain that, while you are now well, you were sick last week and you need a note? The doctor could write that you stated you were previously ill, the same statement you made to your administrator.

Unreasonable behavior on anyone’s part can lead to a regrettable situation. Just as teachers should not abuse illness leave for personal use, administrators should not abuse their discretion in verifying illness pay. The contract neither specifically allows nor prohibits an administrator from requiring a doctor’s note (Article XII, 12.8). Consistently requiring a doctor’s note for short-term illness indicates a pattern of unreasonableness. Perhaps the administrator’s purpose is not to verify illness, but to discourage teachers from utilizing illness leave in legitimate circumstances. When the administrator’s purpose becomes intimidation rather than verification, it is clearly abusive and unreasonable.

If your administrator is abusing his or her authority, please bring it to our attention. If there is an egregious pattern of unreasonable behavior, we will work to end it. ❖

## Lately

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If you want UTLA to be able to do more, start organizing! Help build an effective chapter. Develop strong political links to our own students and the larger community. Adult/occupational teachers need to get involved in the life of the whole union, and as teacher unionists in the labor movement. No individual can do it all — we need to pull together. If we each do the piece we can most effectively do, we create a whole greater than the sum of its parts! If you can’t be chapter chair, maybe you can help your chair. Come to Adult & Occupational Education Committee meetings one Friday a month, or go to your area meeting one Wednesday a month. Let us know what gets under your skin about how LAUSD treats you, or about how DACE programs could better meet our students’ needs. Together we can build on what we have and make a difference for teachers and students! ❖

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## Legislative Update

*Ernest Kettenring, AOE Committee Chair*

In a memorable year that we shall all be long trying to forget, the legislature took action on several issues of interest:

**The Budget:** Starting with plans for draconian cuts that would have gutted our programs, the legislature finally passed a budget with a cut of less than 1% for adult ed and ROC/P - a .73% reduction, to be precise. This was on top of no COLA for the year and no growth in our CAP, which would have funded the education of 2.5% more students. The budget language includes a “deficit factor” allowing school districts to claim those COLA funds at some point in the future (vigilance is needed to insure that adult ed is included). All considered, we came out quite well.

**Vocational Education:** The recall election accelerated legislative action on several issues, one of which was reform of worker’s compensation insurance. Stipends for injured workers were significantly reduced as a cost-saving measure. Vocational retraining counselors are expected to channel injured workers seeking job training into more cost effective public school vocational programs. Speak to your colleagues, and ask the administration what steps are being taken at your school to accommodate this predicted increase in demand for our vocational programs.

**CalSTRS Golden Handshake (AB 1207):** Effective January 1, districts may elect to participate in a golden handshake that provides incentives of two extra years of Service Credit and optionally two years added to the age factor to induce older (and better paid) teachers to retire. However, school boards must choose to participate locally.

See *Legislative*, page 4

# Beyond the Bell:

## Employment Opportunity

The “Beyond the Bell” program is LAUSD’s incarnation of the federal “No Child Left Behind” Act. The program consists of providing remedial instruction to students in Title I schools. DACE teachers with credentials in academic subjects are eligible to teach in this program. Go to [www.lausd.k12.ca.us/lausd/offices/btb/](http://www.lausd.k12.ca.us/lausd/offices/btb/) and click on “Teacher Application Online.” Follow the instructions and submit an on-line application for a position. ❖

# Legislative

*continued from page 3*

Given LAUSD’s teacher shortage and federal legislation discouraging the continued hiring of uncredentialed teachers (to say nothing of the \$106,000 cost to the district for each teacher who participates), chances of LAUSD’s participation are unlikely.

**Social Security:** As to the perennial topic of the Social Security offset, federal legislation addressing the issue has been rolled over into next year. To monitor progress (if there is any), go to “[www.nea.org/lac/socsec/caido.html](http://www.nea.org/lac/socsec/caido.html)” ❖

# Grievance Process

## Part Two: Grievance Steps

*Ernest Kettenring, AOE Committee Chair*

The grievance process consists of several steps:

1) Following notification from a teacher that the contract has been violated, UTLA files a formal complaint alleging a specific violation of the contract, usually filed on behalf of an individual teacher. If a group of employees is affected, or if UTLA believes that the issue affects a large number of teachers, UTLA will file a complaint on its own behalf without naming any individual teacher. The district is required to schedule a Step One meeting within five days.

2) At Step One, a meeting is held with a UTLA staff representative, the teacher, a district staff relations representative, and the immediate administrator, usually the principal. The purpose of Step One is for both sides to learn the specifics of the complaint and to see if the issue can be resolved. The district must produce a written response to the meeting within five days. Often, that response is a denial that the contract was violated.

3) If unresolved at Step One, the matter is scheduled for a Step Two meeting (again, within five days), which is identical to Step One except that there is usually a central office administrator in place of the principal. The district is often more inclined to come to a settlement at Step Two because this is the last step in which it controls the process. Sometimes settlement is achieved, but often the written response from the district is again a denial that the contract was violated. The district is required to produce a written response within five days.

4) At this point, UTLA must decide whether to give up and drop the grievance or proceed to arbitration. Arbitration is costly – independent arbitrators can cost thousands of dollars, depending on how long the arbitration lasts. UTLA is understandably reluctant to commit to this expense on a weak case (The costs are paid by whichever side loses the

grievance). The potential cost needs to be weighed against the seriousness of the violation and the likelihood of winning.

Grievances are designed to be settled within one calendar month, but that is seldom the case. The district benefits from dragging out the process as long as possible, while it is in the teacher’s interests to resolve the violation swiftly.

Teachers are understandably reluctant to file grievances, for they are by definition accusatory in nature, resulting often in a negative reaction from the administration. However, many administrators will take advantage of their positions of authority, blatantly refusing to adhere to their legal and professional obligations to follow the contract to which the district has agreed. Often, your only choice is to either be taken advantage of by a bullying authority figure or filing a grievance.

If you believe that you have suffered harm because the contract has been violated, you should contact your chapter chair or a committee officer. Seeking information or help doesn’t mean a grievance will be filed, but notifying UTLA is the first step toward protecting your rights. ❖

Next installment: *arbitration*

## Numbers to Know

**Ernest Kettenring, AOEC Chair**

Evans CAS ..... (213) 626-7151 ext. 432

**Victor Vaca, AOEC Vice Chair**

Friedman OC ..... (213) 745-2013 ext. 7611

**Julie Carson, AOEC Secretary**

Kennedy-San Fernando CAS ..... [jacarson@socal.rr.com](mailto:jacarson@socal.rr.com)

**Marc Wutschke, UTLA Board of Directors**

Evans CAS ..... (213) 626-7151 ext. 424

**Lydia Laurans**

UTLA Area Representative ..... (213) 368-6222