

The Sentinel

OCTOBER 2009

VOLUME 2, ISSUE 2

UPCOMING EVENTS

September 28-30

- ISEA President's SUN/GEODE Tour

September 29

- SUN Grievance Training, Ottumwa

October 6

- SC8 ESP Workshop, Indianola

October 12

- HOLIDAY, All ISEA Offices Closed

October 14

- SC8 Bargaining Training, Indianola

October 20

- SUN Bargaining Training, Ottumwa

October 24

- ISEA State Bargaining Conference, Ankeny

October 26

- SC8 Protecting Member Rights Training, Indianola

Social Networking Hints

As educators enter the world of Facebook, MySpace, and social networks, it is prudent to always remember that we (educators) are considered "role models" 24/7/365. Consequently, our behavior is held to a higher standard than individuals in other professions. The following hints are designed to help you avoid employment problems that can arise from social networking.

Security. We suggest you adjust your privacy settings so that you are not visible with most searches. This will prevent students from finding you. Change your "Search Visibility" to "Only Friends." This



will keep your profile from popping up if someone searches for you on the site. Even if your visibility is "Friends of Friends," you never know who may be a friend of a friend, especially if you are teaching in a small town.

Allowing Adds & Messages. If you think you must be visible in

searches, un-check the box next to "A link to add me as a friend." This allows individuals to find you, but they can't add you. If someone wants to add you, they can still send you a message and ask you to add them.

Adding students. This is **NOT** recommended! Students may ask to be

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Weingarten Rights

In a 1975 case (NLRB vs. Weingarten, Inc.), the U.S. Supreme Court established the rights of unionized employees to have a representative present during investiga-

tory interviews. These rights have become known as the Weingarten Rights.

Weingarten Rights exist only during investigatory interviews. An investiga-

tory interview occurs when a supervisor questions an employee to obtain information which could be used as a basis for discipline or asks an

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SPECIAL POINTS OF INTEREST:

- *IPERS Update*
- *Proposed BOEE Rule Change*

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IPERS Update

The results of actuarial studies approved by the IPERS Benefits Advisory Committee (BAC) were released on September 14. Inflammatory rumors and headlines immediately followed. The changes the BAC is considering include:

- Reducing the benefit formula



multiplier for new and current employees. This alternative would result in all employees accumulating future benefits more slowly. It would not impact benefits already earned.

- Eliminating some or all early retirement incentives and subsidies that allow retirements before age 65. This includes reviewing the Rule of 88 and the

Rule of age 62 with 20 years of service. It also includes studying the current 3% per year reduction in benefits for those who retire between ages 55 and 65 but meet neither early retirement rule.

- Increasing the contribution rate as much as is affordable to a maximum of 16%. Currently employers pay 60%; employees 40% of the 10.95% total contribution rate.

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Weingarten

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employee to defend his/her conduct. If an employee has reasonable belief that discipline or other adverse consequences may result from what s/he says during a meeting, the employee has the right to request representation—prior to or during the meeting.

When an employee makes a request for representation to be present, the employer has three options:

1. It can stop the questioning until a representative arrives.
2. It can postpone the interview until a time when a representative can be present.
3. It can tell the employee that it will call off the interview unless the employee voluntarily gives up his/her rights to have a representative present. (Employees should always refuse this option.)

Employers often assert that the only role of a representative during an investigatory interview is to observe. The NRLA has established the following rules regarding Weingarten representation.

- The employer must inform the union representative of the subject of the interrogation.
- The representative must be allowed to speak privately with the employee before the interview.
- During the interview the representative cannot argue with the employer, but s/he can interrupt to clarify a question or to object to confusing or intimidating tactics.
- During the interview, the repre-

sentative cannot tell the employee what to say, but s/he may advise them on how to answer a question.

“The employee has the right to request representation—prior to or during the meeting.”

- At the end of the interview the representative can add information to support the employee’s case.

Just as it’s important to know what your Weingarten rights are, it is also important to know their limits.

- ◆ You are not entitled to have a representative present every time a supervisor wants to talk to you.
- ◆ If you are called into your supervisor’s office for an investigation, you cannot refuse to go without a representative. But, you can refuse to answer questions until you have a representative present and you’ve had a chance to talk with him/her.

Hints

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your friend, but you do not have to respond and you do not have to confirm a friend request. Students should not be your friends until after they have GRADUATED. Even if you teach freshman English, students are students until they leave the District diploma in hand. Additionally, students tend to put things on their Facebook pages that teachers really should not see—such as photos or information that would violate your District’s good conduct policy. If you see such posts, you would be required to report them to school authorities.

Status updates. Be extremely careful about what you say in your status updates. Anything on your site that might be questionable and is accessible to anyone, could put your employment in jeopardy. For example, “It’s been a long day and I’m ready for some ‘me’ time” is a better status update than “Children are evil and I need to meet with my

three best friends Johnnie, Jack, & Jim.”

Does it pass the “Grandma Appropriate” test? When considering what to say about school-related issues, think about whether or not you would say it in front of your grandmother. That qualifier could save you lots of grief at a later time.

Confidentiality. Never, never, never—

under any circumstances—say anything about a student on your Facebook page! Even if you think your comments are generic, you run the risk of someone figuring out who you are talking about. In all communication, avoid using students’ names or initials that could make the students identifiable.

“Pictures are not a problem; it’s what you are doing in the pictures that can lead to problems.”

Pictures. Be extremely careful of any pictures you post on your Facebook page. Pictures are not a problem; it’s what you are doing in the pictures that can lead to problems. Pictures of your family are okay, pictures of you doing shots in Mexico during spring break are not. If

you choose to post pictures with potentially questionable behaviors, edit your settings so that only certain people can have access. Also, talk to your friends about tagging you in pictures. Tags will show up on your friends’ home pages. Tell your friends that because of

your job you are not comfortable with pictures of you doing anything that might be considered inappropriate being splashed all over Facebook.

You have invested years of effort and thousands of dollars to create a teaching career. Don’t let one careless technology choice destroy it.

IPERS

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IPERS director Donna Mueller has indicated repeatedly that, for legal reasons, IPERS cannot reduce benefits already earned. Any changes enacted will apply to future benefits only.

Ms. Mueller is addressing questions via a blog, IPERS UpFront, located on the home page of the [IPERS](#)



Website. The direct link is <http://www.ipers.org/blog>. From the blog you can also link to a [Q&A](#) about the

benefit studies the BAC is conducting (http://www.ipers.org/newsroom/announcements/2009_5.html).

School employees should rely on

ISEA and IPERS for accurate and up-to-date information. ISEA will continue to inform members via the *ISEA Hotline*. If you are not currently receiving the *Hotline*, you can sign up to receive it in the “Members Only” area of the [ISEA Website](#).

Members should consider staying in close contact with their legislators during the 2010 Legislative Session as any/all changes in IPERS must be approved by the state legislature.

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Proposed BOEE Rule Change

The Iowa Board of Educational Examiners has proposed a change to its administrative rules which will negatively impact licensed employees' ability to defend themselves when a licensure complaint is filed against them.

Currently when a licensure complaint is filed the employee receives a copy of the complaint and can thus appropriately respond to the allegations. The Board has proposed to withhold a copy of the complaint until the Board has completed its investigation and has found probable

cause to move the complaint to hearing. Under the proposed rule, an employee who is the subject of a complaint would have to attempt to respond to allegations without knowing the identity of the complainant (e.g. a parent) or seeing the specific complaint.

This proposed rule change puts school employees in a situation where they may continue to work with a student or parent who has filed a complaint against them and prevents the employee from taking precautions to assure that their future conduct does not exacerbate the situation. It is an affront to

employees' fundamental right of due process.

Please write to the Iowa Board of Educational Examiners and indicate your opposition to this proposed rule change. The period for written comment ends at 4 p.m. on Friday, October 2, 2009. Send your comments using the form on the [ISEA Website](#). ISEA will then forward your comments to BOEE.

[You can access the language of the proposed rule change on the [ISEA Website](#).]

SC8/SUN Snippets

👍👍👍 Kudos to local Associations represented at **SUN Leadership Training** on September 1 [*Cardinal* (1), *Centerville* (1), *Davis County* (2), *Eddyville-Blakesburg* (1), *Fairfield* (2), *Oskaloosa* (2), *Ottumwa* (5), and *Sigourney* (3)].

👍👍👍 Kudos to **SC8** local Associations represented at a September 2 **NEA Member Benefits meeting** [*Chariton* (3), *Lamoni* (4), and *Van Meter* (1)] and at **High**

Crimes and Misdemeanors Training held September 8 [*Chariton* (3), *East Union* (2), *Indianola* (2), *Knoxville* (1), *SE Warren* (1), *Winterset* (3), and *Winterset ESEA* (2)].

👍👍👍 Members of local bargaining teams, chief negotiators, and local presidents are encouraged to attend the **ISEA Fall Bargaining Conference** on Saturday, October 24 (10:30 a.m.—2:30 p.m.) at DMACC in Ankeny. There is no charge for the



conference and lunch will be provided. Registration is required and can be completed at <http://tinyurl.com/mkhpof>. (Call the ISEA Ottumwa office if you experience trouble registering online.) Registration deadline is October 16.

AN Anonymous ORIGINAL THOUGHT:

A diamond is a piece of coal that stuck with the job.