

# MTA REPORTER

**RETIRED** The Voice of MTA Retired Members



There are always a number of topics that might be of interest to retired public employees. Some folks might have an interest in pending legislation or the state budget, some in the upcoming political elections, and others in what might be on the horizon with respect to health insurance.

This year there will be six breakfasts scheduled around the state (see below). We invite you to join representatives of the MTA Retired Members Committee and guest speakers, as well as your colleagues, to learn the latest about some of these issues.

**9 a.m. REGISTRATION & FULL BREAKFAST**  
**9:50 a.m. – Noon: PROGRAM AND Q&A**  
**Cost of the Breakfast: \$12.50**

## SCHEDULED DATES AND LOCATIONS

<b>Verve Crowne Plaza, Natick</b> Tuesday, April 26, 2016 RSVP Deadline: 4/19/16	<b>Cape Codder Resort</b> Thursday, April 28, 2016 RSVP Deadline: 4/21/16
<b>Hadley Farms Mtg. House</b> Tuesday, May 3, 2016 RSVP Deadline: 4/26/16	<b>Holiday Inn, Taunton</b> Thursday, May 5, 2016 RSVP Deadline: 4/28/16
<b>Crowne Plaza, Woburn</b> Thursday, May 19, 2016 RSVP Deadline: 5/12/16	<b>Crowne Plaza, Pittsfield</b> Thursday, May 26, 2016 RSVP Deadline: 5/19/16

## SPACE IS LIMITED – FIRST COME, FIRST SERVED.

Register online at [massteacher.org/retiredbreakfast](http://massteacher.org/retiredbreakfast)

**OR** by mail, send check payable to MTA, with a note including name, email address, and which breakfast you want to attend to:

Matt Bennet | 2 Heritage Drive, 8th Floor | Quincy, MA 02171-2119  
617.878.8194 | [mbennet@massteacher.org](mailto:mbennet@massteacher.org)

## RETIRED MEMBERS COMMITTEE 2015-2016

### CHAIRS

Richard Liston, *Everett* \*  
Kathleen Roberts, *Raynham*

### COMMITTEE MEMBERS

Kathleen Comer, *Worcester*  
Richard Connole, *Millbury*  
Gladys Durant, *Norton*  
Mary Gilmore, *South Yarmouth*  
Jacqueline A. Gorrie, *Randolph* \*  
Stephen Gorrie, *Randolph* \*\*\*  
Paul Mazut, *Lee*  
Julia Monteiro-Johnson, *South Dennis*  
Gerard Ruane, *Malden* \*\*  
Robert Travers, *Cambridge* \*\*

### RETIRED AND STUDENT MEMBER ORGANIZER

Robert Whalen  
[rwhalen@massteacher.org](mailto:rwhalen@massteacher.org)  
617.878.8206 ■ 800.392.6175, ext. 8206

### GRASSROOTS CAMPAIGNS COORDINATOR

Matthew Bennet  
[mbennet@massteacher.org](mailto:mbennet@massteacher.org)  
617.878.8194 ■ 800.392.6175, ext. 8194

### MASSACHUSETTS TEACHERS ASSOCIATION

2 Heritage Drive, 8th Floor  
Quincy, MA 02171-2119  
800.392.6175 ■ [www.massteacher.org](http://www.massteacher.org)

### MTA MEMBER BENEFITS, INC.

800.336.0990 ■ [www.mtabenefits.com](http://www.mtabenefits.com)

### MTA MEMBERSHIP DIVISION

617.878.8118 ■ 800.392.6175, ext. 8118

- \* MTA Board of Directors
- \*\* MTA Executive Committee
- \*\*\* NEA Retired Director



## THE FUTURE OF AGENCY FEE?

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In 2013 a lawsuit was filed in California, *Friedrichs v. California Teachers Association*, challenging on federal constitutional grounds the statutory provisions for public workers that permitted the negotiation of an agency fee under the bargaining statute. Since the issue raised a constitutional aspect, it would appear that whatever is decided, will apply to every state that has such a provision in their bargaining law.

In Massachusetts, the state Legislature used the term “agency fee” in 1974 when it created the public employee collective bargaining law, but in some states it is referred to as a “Fair Share Provision”. Massachusetts law did not make such a fee mandatory, but only that the parties to the contract could bargain a provision requiring the payment of the fee as a condition of employment. The fee could be equal to the cost of union representation, but would not include amounts expended by any public worker union for activities such as politics, or charitable causes. These provisions were found to be constitutional in a 1977 Supreme Court decision, *Abood v. Detroit Board of Education* where the Court held that no one can be forced to join a public-sector union as a condition of employment, or be forced to contribute to the union’s political activities, but an agency fee could be agreed upon by the parties to the contract.

While the *Abood* precedent has remained in place for decades, a 2014 decision by the Court appeared to indicate the justices’ willingness to reconsider the court’s

longstanding decision, and what many felt was more or less sacrosanct, fell into jeopardy given the composition of the Court. On June 30, 2015, the Supreme Court granted the plaintiff’s petition to have the case heard by the Court. The case was argued on January 11, 2016, and there was a great deal of speculation as to where the various members of the court might come down on the issue. The decision was expected by the end of the current session, which ends on 6/30/16. However, the death of Justice Scalia presents a possibility that the issue may result in a 4-4 tie, which means that the lower Court ruling, which favored labor organizations, would stand.

In general, the basic principle supporting the validity of such a provision in a contract is that by law, the union has the right of exclusive representation for all workers under the contract and must fairly represent their interests. Therefore, while some may not support the political or charitable causes of a union, they should not be able to reap the benefits for free. As in every part of our society, one must pay their fair share of the cost of our government through taxes, irrespective of one’s use of certain governmental functions. Reversing the prior case would permit employees, under the current law, to have the benefits of the contract without paying a cent. Whether the decision is finalized this June or in another session of the Court, it appears likely that we will find out if there is a free lunch after all! ■

## MTA ELECTION FOR RETIRED DELEGATES FOR MTA ANNUAL MEETING

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The MTA Annual Meeting of Delegates will be held on **Friday May 13** and **Saturday May 14** at the Hynes Convention Center in Boston. With a very high level of engagement from retired members, the number of nominations received has exceeded the number of delegates allocated to the retired district, and an election will take place for this delegation.

Statewide Retired District delegates to the MTA Annual Meeting shall be elected by secret ballot by the eligible MTA retired members within the statewide retired electoral district. The election will be conducted by MTA Credentials and Ballot Committee via mailed ballot beginning on the first Monday of March (**March 7**) and ending on the fourth

Friday in April (**April 22**). Only ballots received by 5:00 p.m. on **April 22** will be counted.

In addition, within the same mailing, retired members will receive a ballot and information to vote for the retired delegation to the NEA Representative Assembly.

Be on the lookout for a packet of material from MTA. It might be a thick envelope because of the number of retirees on the ballot and their corresponding information. If you are a possible delegate, please check the MTA website for the schedule of Preconvention Meetings throughout the state.

All retired members are encouraged to read the instructions, review the material and return any ballot to be received by **5 p.m. on April 22, 2016.** ■



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“HONOR OUR OWN”



AWARD

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## NOMINATION FORM

AWARD TO BE PRESENTED  
AT THE 2016 MTA RETIRED GATHERING

## IS THERE AN MTA MEMBER WHO:

- Encouraged you professionally or personally?
- Fostered your involvement in the MTA?
- Mentored you as a beginning educator?
- Helped you as a student?

## “HONOR OUR OWN”



## AWARD

## NOW IS THE TIME TO RECOGNIZE HIS OR HER CONTRIBUTION.

Each year, the MTA Retired Members Committee sponsors the “Honor Our Own” award. The award honors an active or retired MTA member for his or her outstanding influence on students, beginning educators and association members. To nominate an educator, complete the nomination form and provide a written explanation of why you believe the candidate meets the guidelines for the award. The guidelines include demonstrated professional responsibility and achievement in one’s field; displays of leadership, creativity or innovation; evidence of the nominee’s impact on the school community, students and association; and examples of how the nominee has improved the image of public education.

## WHO IS ELIGIBLE AND WHAT ARE THE GUIDELINES FOR THE AWARD?

**Nominees must be active or retired members of the Massachusetts Teachers Association at present.**

Please explain why the nominee should be honored. Consider the following about the nominee when you are writing your submission:

1. Professional responsibilities and personal achievements in his/her field.
2. Leadership, creativity or innovation.
3. Impact of the nominee’s professionalism on the school community, the students, the association and/or the community.
4. Advocacy for association members, the profession and public education.
5. Improving the image of public education.

## HOW DO I SUBMIT A NOMINATION FOR THE “HONOR OUR OWN” AWARD?

1. Complete the nomination form.
2. Attach a written explanation about why the nominee meets the guidelines for the award. Follow the award guidelines listed above.
3. Mail or e-mail the completed application. Materials must be received no later than June 3.

**“Honor Our Own” Award**  
**Attn: Robert Whalen, MTA**  
**2 Heritage Drive, 8th Floor | Quincy, MA 02171-2119**  
**[rwhalen@massteacher.org](mailto:rwhalen@massteacher.org)**

For a copy of this nomination form, please visit: [www.massteacher.org/honorourown](http://www.massteacher.org/honorourown)

# 1

## Complete the nomination form.

### Nominee Information:

(Please check one)

Member of \_\_\_\_\_ Association

MTA Retired

Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ ZIP \_\_\_\_\_

Home Phone \_\_\_\_\_ Work Phone \_\_\_\_\_

E-mail \_\_\_\_\_

### Submitted By:

(Please check one)

Member of \_\_\_\_\_ Association

MTA Retired

Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ ZIP \_\_\_\_\_

Home Phone \_\_\_\_\_ Work Phone \_\_\_\_\_

E-mail \_\_\_\_\_

This form may be printed and mailed or completed electronically and e-mailed. For best results, view the PDF in Adobe Reader.<sup>®</sup> Complete any fillable areas by typing in the fields or clicking on check boxes. Save a copy to your computer for your records.

# 2

Attach a written explanation of 250-500 words on why the nominee meets the guidelines for the award.

# 3

Mail or e-mail the completed application.

“Honor Our Own” Award  
Robert Whalen, MTA  
2 Heritage Drive, 8th Floor | Quincy, MA 02171-2119  
rwhalen@massteacher.org

Materials must be received by the MTA no later than June 3. The decision of the Retired Members Committee is final.

## Recent Recipients of the “Honor Our Own” Award

2015

Susan Cogliano, *Stoughton science teacher*

Nominated by John Gunning, Stoughton Teachers Association

“Susan was a leader on the faculty. She served as team leader and then as department head at O’Donnell Middle School. Susan looked out for teachers, making sure they were properly provisioned. She guided new teachers, helping them adapt to their environment. Not one to give speeches, Susan’s leadership was seen in the way she would ‘check in’ with a colleague, offer assistance or guidance when needed, and quietly take the lead without being asked by someone.”

2014

Neil Clarke, *Lee Education Association*

Nominated by Joshua David Hall, Lee Middle School teacher

“Neil greeted me and all other new teachers with open arms and a joke, and was always ready to lend advice, a story or a friendly ear. He was also a huge proponent of the Lee Education Association and the MTA. Neil was always up to date on the political goings-on with MTA and politics in general. Even after Neil retired from teaching in 2006, the conversations continued and Neil’s involvement with the MTA continued.”

2013

Dr. Richard Lyons, *UMass Lowell Graduate School of Education*

Nominated by Lorraine Dagostino, UMass Lowell professor

“His tenacity and dedication to members were well known as he fought to protect their rights, specifically with respect to ensuring that promotions were within the confines of the contract, and he fought on salary issues for women faculty. He served two terms on the MTA Board of Directors, and for over 30 years he has been the treasurer of the Massachusetts Higher Education Caucus. All of that in and of itself is extremely impressive. Yet, along the way, he found time to teach his classes, participate in his department and author three books and 25 articles.”

2012

Judy Rutelonis, *Third-grade teacher in Sutton*

Nominated by Janet DellaRocco, MTA Retired

“Always keeping in mind the best interests of her colleagues, our recipient worked tirelessly on her association’s Board of Directors for 15 years and also served on the Labor Relations Committee and the Sick Bank Committee. She worked as a mentor to new teachers long before formal mentoring programs became popular across the state. Our award recipient is also considered a humanitarian by her colleagues. She was always the first on the scene to lend a hand to those on staff or families in the community who needed assistance.”

## Questions?

“Honor Our Own” Award

Robert Whalen, MTA

2 Heritage Drive, 8th Floor | Quincy, MA 02171-2119

[rwhalen@massteacher.org](mailto:rwhalen@massteacher.org)

For a copy of this nomination form, please visit: [www.massteacher.org/honorourown](http://www.massteacher.org/honorourown)

## A MESSAGE FROM MTA BENEFITS

The longer a hearing loss goes untreated, the more permanent damage there is

**D**on't put off a hearing screening any longer. With MTA Benefits' new partner, Hear In America, members can now receive high-quality hearing care and the best value on hearing aid purchases and service through a nationwide network of hearing centers. In addition, members enjoy these benefits:

- Discounts up to 70% on hearing aids
- Free annual screenings

- A 3-year repair warranty
- Lifetime clean-and-check office service
- Three years' worth of batteries
- Extended family members are eligible

Call 800.286.6149 today for more information or to register for the Hear In America program. ■

*As an MTA member, you are entitled to the discounts and programs offered by MTA Benefits.*

[www.mtabenefits.com](http://www.mtabenefits.com)



*Photo by Caitlin Russell, Dennis Wicked Local reporter, printed with permission*

**T**he generosity and kindness of MTA retirees knows no bounds. In September, the members once again opened their hearts and wallets to provide donations for a school in Massachusetts. This year it was the Ezra Baker Elementary School, which is a preK-3 school in the Dennis Yarmouth Regional School district. On Thursday, November 5, 2015 the donations were delivered to the School and included boxes upon boxes of goods, especially binders, writing materials

and washable markers, but also books and backpacks. Pictured above from the delivery in the Principal's office are, from left to right: Julia Monteiro-Johnson, RMC; Erin Porter, President, Dennis Yarmouth Education Association; Mary Gilmore, RMC; and Richard Liston, RMC Co-Chair and Retired Statewide Director. President Porter thanked the retired members for their "continued efforts and dedication to making a difference in the lives of students across the Commonwealth."



2 Heritage Drive, 8th Floor  
Quincy, MA 02171-2119

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