

# Marion County Education Association Newsletter March 2005

## **RIF and Transfer Season – You Have Rights!!!!**

It is such a shame that just when Spring is around the corner, we have to face one of the most difficult times of year for many teachers. Marion County is one again faced with a significant number (rumors of 100 personal including professional and service) of employees over the state aid formula. Marion County has set hearings for RIFs and Transfers on March 29 & 31 at the Central Office.

Your association is here to support you if this process effects your position. The first step is to call your representative, Don Craft at 1-888-770-8406 ext.5. Here are some of your Rights if you are RIFed.

1. You must receive notice by certified mail sufficiently in advance of the hearings to allow you time to prepare. Hearings must be before the first Monday in April. The administration must show reason for the RIF.
2. Have representation, question the administration, present witnesses, testify yourself, be assured that no one less senior than you in your area of certification is being kept and know exactly why you are the one to go.
3. After the hearing the Board must vote on whether to RIF you. You will be notified in writing if you are RIFed.
4. Protest your RIF with a grievance procedure if you believed you have been wrongly released.
5. If you are RIFed, you must receive notices of available positions, be recalled in order of seniority, remain on preferred recall list, received all money owed you by mid-June, keep PEIA benefits at no additional cost for 3 months and up to 18 months at a cost to you, and be eligible for unemployment benefits.
6. When you return to employment in any school system in WV, any leave days you have earned prior to lay off remain intact and available to you.

If you are transferred:

1. Teachers whose jobs are being eliminated, but are senior enough to keep employment must be notified in writing that you are being considered for transfer before the first Monday in April. You may write to the superintendent for specific reasons for the proposed transfer and receive a written response within 10 days. You may then write the superintendent demanding a hearing before the BOE. Hearings must occur before the first Monday in May.
2. You continue to have the same rights to a hearing, representation, etc as you would in a RIF.
3. Senior teachers slated for transfer to the position of a RIFed teacher, are transferred there directly. You do not sit on a transfer list.
4. If more than one position in a certification area is vacated by layoff for senior teachers to move into, the common although not universal procedure is for teacher to choose among the positions in seniority order.

5. If you do not like the position you are transferred to, you do not have to stay. You may bid on other positions.
6. In elementary schools, if your position is being cut but you are not the least senior teacher in the school, you have the right to stay at the school and bump the least senior teacher in the school if you are certified for that position. Board policies may impact this procedure.

### *The Legislature is Still in Session*

The legislative session is reaching the half way mark. Little action has occurred concerning our priorities – 15% pay raise over 3 years, opportunities to choose retirement system and PEIA reform. Please contact your legislators and let them know your concerns. Only through our continued efforts will changes occur. We do not want to rely on a special session for pay raises.

Please monitor the Hotline by going to [WVEA.org](http://WVEA.org). To contact our delegates click on the Legislative Action Center, then click on “Contacting West Virginia Legislators.” On the next screen, choose state legislators. Enter your zip code when prompted, and our legislators will appear on the next screen with a place to write and send your email message.

If you wish to Lobby contact Linda Bond, [lindaybond@aol.com](mailto:lindaybond@aol.com). Marion County’s lobby day is March 24 and the state lobby day is March 30.

### **Did You Know??**

In order to evaluate teachers, you must have an administrative degree and be trained in the evaluation process. Designate personnel without administrative certification may conduct “Walk throughs”.

### *Congratulations!!!!*

Congratulations to our MCEA colleague, Dr. Larry Watson. He has been honored by receiving the award as Marion County Teacher of the Year.

### **Please Attend MCEA Meetings**

The Marion County Education Association needs you!!! We meet the first Tuesday of each month in the Freshman Building of FSHS at 6:00 p.m. Only by attending can we know and address your concerns. **No meeting in March due to snow cancellations. Next meeting is April 5<sup>th</sup>. Representatives to Delegate Assembly will be elected at this meeting.**