



UPDATE

American Federation of Teachers Local 604, AFL-CIO

www.aftlocal604.org

April/May 2020

It Was Worth It!

Kankakee's head start on CBE, e-learning eased COVID-19 educator concerns

By Beth Anderson, Kankakee council president

Kankakee School District #111 was selected to be in the first round of piloting Competency Based Education (CBE) for Illinois. We are currently in our second year of implementation.

Part of the CBE program includes the opportunity to practice Learning Anywhere, Anytime. The concept suggests that learning could take place in a location and at a time that is most meaningful. For example, participation in an internship at a local business could be used to demonstrate mastery of a competency instead of taking a high school class in the related content area. Learning Anywhere, Anytime acknowledges that education does not have to happen in a classroom with a strict schedule of seat time.

Initially, staff supported participation in the pilot program. As implementation began, our opinions changed. KSD #111 chose to make major changes in how we delivered instruction and assessed for mastery of skills. This resulted in significant changes to our working conditions that we could not have predicted.

Although we all agreed the changes were needed, we felt we could have better managed the changes in a more incremental implementation plan. At several points of implementation, we even contemplated withdrawing our support for the pilot but instead chose to persevere.

One of the ways we practice Learning Anywhere, Anytime is by requiring remote learning once each month. Students are at home participating in remote learning while staff reports to the building for professional development and/or collaboration activities.

It took us some time to refine the remote learning. We had to develop new skill sets to plan, instruct, differentiate, accommodate, modify, and remediate in addition to developing efficient systems for communicating with our students and their families while still managing our normal workload.

The theme of preparing students for a future that cannot be predicted or imagined is woven into every presentation and conversation about CBE and Learning Anywhere, Anytime. And here we are in a time that we could not have predicted or imagined after only two years of implementation.

School closures due to COVID-19 have prompted us to reflect and acknowledge all that we have accomplished in that short time. Kankakee educators are confident in their ability to continue educating our students in this crisis.

As educators, we understand the impact and worth of our work. However, rarely do we get to witness the value of what we do in such a dramatic manner. In our meetings with staff to discuss school closures, there were no feelings of fear or panic, only concern and compassion.

The work was worth it. The collective effort made by our school community to be forward thinking and progressive in educating for an unimaginable future was worth it!

I'm not
telling you
it's going
to be
easy,
I'm
telling you
it's going
to be
WORTH IT.

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Independent Medical Examination
By attorney James Ridge

Where are we now?

With Covid-19, the importance of voting is more evident



Bill Briggs

When I sat down to write this column in mid-March to meet our deadline, we were only a few days into school closures. As you read this article, I do not know if school has been cancelled for the remainder of the year, like Kansas, if we returned to the buildings sooner than I thought, or if we all feel like we are still floating in limbo.

However, one thing I know for certain is that elections matter. All one must do is take a look at the contrasting ways two individuals in leadership positions reacted to Covid-19. I realize some will believe that I am being political, but facts are facts.

As a fan of the old TV series *Golden Girls*, I remember Sophia saying often, "Picture this, Sicily 19..." So, I borrow from her, "Picture this, Governor J. B. Pritzker and President Donald Trump!" I know the image might be frightening for many, but I want you to be honest and look at how they reacted to this life-changing pandemic. The contrast is so clear.

The President knew in January what was going on in China and was warned about it. When he finally reacted, he said it was a hoax made-up by the pro-liberal media with Democratic support to defeat him in November. And Fox News supported this travesty. This attitude continued well into March when he finally admitted "he thought it was a pandemic long ago," but he still offered little concrete action.

By mid-March, did we have enough testing? No. Did we have an adequate source of ventilators for the hospitals? No. In fact, China, in February, contracted a leading American manufacturer and took what was on hand and placed orders that will keep the business busy until almost June. Trump's reaction, states should deal with it.

On the flip side, Governor Pritzker, as he saw what was going on in China and Italy, started to react. No blame was put on others. He did what a leader should and gathered the most knowledgeable experts and strategized what Illinois should do.

What many do not realize is that the Illinois Federation of Teachers, led by President Dan Montgomery and our top

staff, were involved in many early conversations making sure that when schools were finally closed, we had had a seat at the table to make sure our members were not harmed.

Imagine what it might have been like if former Governor Bruce Rauner were still running the state! In no way am I saying that he would not have had the state's best interest in mind, but knowing his hatred of the IFT and IEA, I have doubts that our leaders would have been at the table.

Would he have agreed to have all employees of the school districts paid with no loss of benefits? We would hope, but I doubt it. His concern would lie where it always did, help big business.

Pritzker took a lot of heat by having the elections go on as planned on March 17. In my view, he took the right path. Early voting was at an all-time high. But what is more important is the future.

What if Trump took the same path as the Republican governor of Ohio did and advocated for postponing the elections in November? Remember, after 9/11, Rudy tried to stay on as mayor of New York. Who knows what tricks this president will attempt to pull?

So yes, elections matter and our votes count. In the primary, our endorsed candidates did exceptionally well. For example, Sen. Patrick Joyce from the 40th district won out over three opponents. Joliet #86 teacher and AFT Local 604 member captured the primary for the 49th in the state senate race. Also important was Representative Bill Foster's victory over Rachel Ventura. And personally, I love Marie Newman's upset over Daniel Lipinski.

Current 49th district Sen. Jennifer Bertino-Tarrant soundly defeated Nick Palmer in her bid for Chief Executive Office for Will County, and Corinne Pierog won the nomination to attempt to become the first Democratic Kane County Board chairperson ever.

As we all continue to work through the results of Covid-19, remember what President Montgomery said on March 19: "We're going to take care of each other," and we will.

KNOW YOUR WEINGARTEN RIGHTS

Periodically, employees may be required to meet with a representative of the Administration regarding disciplinary issues. Starting in the 1970s the National Labor Relations Board (NLRB), Illinois Education Labor Relations Board (IELRB), and the U.S. Supreme Court have issued decisions supporting what is known as an employee's "Weingarten Rights." Any time you find yourself facing a meeting with any agent of the Administration and reasonably believe this meeting could result in disciplinary action against you, these rights apply. It is not necessary that the Collective Bargaining Agreement (CBA) include these rights for you to be protected; however, the CBA may include broader rights than the statute provides, so it is important to know your CBA.

1. Any time you are called to a meeting with your Administration, you should know the nature of the meeting beforehand. If the person calling this meeting does not volunteer this information, ask.
2. If you reasonably believe the nature of the meeting is disciplinary, respectfully request that a Union representative be present. Interrupt this meeting, if necessary.
3. The Administration now faces three options:
 - a. Stop the questioning until the Union representative arrives,
 - b. Cancel the meeting, or
 - c. Give you the choice of ending the meeting or continuing without representation.
4. Do not continue the meeting without Union representation.
5. If the Administration insists that the meeting continue without representation, an unfair labor practice has been committed. You have the option of keeping silent. Inform the Union at once and memorialize in writing management's denial of your Weingarten rights.

When you meet with the Administration and the Union representative, the Administration must afford you certain privileges.

1. The Administration must inform the Union representative of the subject of the meeting.
2. The Union representative must be given adequate opportunity for the representative to take you aside for consultation before the meeting.
3. During the meeting, the representative has the right to interrupt to clarify confusing questions or to end intimidation. The representative or member may also call for a "caucus" or private discussion, then resume the meeting.
4. The Union may give you advice on how to answer any question.
5. The Union may add information at the end of the meeting to support your position.

The biggest mistake employees make is to meet without a Union representative being present. Your Union leadership will provide you with a Weingarten rights card. Please keep this card handy, take it with you into a meeting, refer to the back if necessary, and do not hesitate to contact a Union representative. Always remember that exercising these rights and securing appropriate Union representation rest solely with you. The Administration is under no obligation to read you your Weingarten Rights. You must initiate these rights to enjoy the protections which are yours by law.

YOUR RIGHTS AS A UNION MEMBER

As a Union member you are entitled to a number of benefits. One such benefit is the right to have Union representation and/or assistance in resolving disputes that arise out of the work place. This benefit is summarized below.

- You have the right to legal assistance in controversies that arise from incidents occurring in conjunction with your job. The Union determines the level of legal support that will be provided.
- You have the right to file a grievance over violations of the Collective Bargaining Agreement (CBA) by your employer.
- You have the right to Union assistance in processing and resolving any grievance over a violation of the CBA.
- You have the right to appeal any denial of Union assistance in exercising the aforementioned rights to the AFT Local 604 Executive Board.

If you have any concerns or questions regarding these rights or the implementation thereof, please call the AFT Local 604 office at 815-/725-0402.

Your rights under the workers' compensation act

by James M. Ridge, attorney at law

What's required at an Independent Medical Examination?

At Ridge & Downes, we always advise that you do not have to receive medical treatment directed by your employer. We recommend you seek medical attention from a physician of your own choice.

However, there are two exceptions to this rule. First, if you are directed to a clinic for a drug screen after an injury, you should comply.

Second, you have to attend an Independent Medical Examination (IME) pursuant to Section 12 of the Illinois Workers' Compensation Act. An adjuster may explain this to you as a "second opinion," but it should be a red flag that they are seeking an opinion as to whether they have to continue your medical or lost-time benefits. And make no mistake, there is nothing "independent" about it.

If you are scheduled for such an exam, you may receive a letter in the mail advising you to bring all imaging films with you. You are NOT required to do so. However, there are times we do advise clients to bring records or films with to an exam, so we recommend reaching out to us for advice.

Some claimants also receive a lengthy questionnaire. The Illinois Workers' Compensation Commission has held that you are only required to respond to questions related to medical history, as that is a routine component of any medical examination. You are not required to respond to unrelated questions, such as length of employment, family history, insurance coverage, guarantee of payment, and so on.

If you are scheduled for an IME, please give us a call so we can walk you through the process and explain your rights.



For more information on your rights contact:

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Great Lakes Regional Meeting in Rosemont

Local 604 well represented at conference



Left: Dan Montgomery gave the introductions at the Great Lakes Regional Meeting



Above: Randi Weingarten speaking on the topics of:

1. Activism matters
2. Elections matter
3. A & E over a set of values
4. Narrative change
5. Policy change
6. Path to improve lives



Above: Kristen Ryan from Ohio Council, explaining an issue to Randi Weingarten with Julie Harris from Tinley Park Council looking on.



Above: Kathy Anderson from Homer Council was chosen to write down facts.

Bottom: attendees from left to right:

Wendy Bruin from Homer Teachers, Stella Kapusta from Homer Support Staff, Tammie Ebel from Homer Teachers, Kathy Anderson from Homer Support Staff, Cathy Clayton-Weathers from Homer Teachers, Bill Briggs, President of AFT Local 604, Julie Harris from Tinley Park, Kristen Ryan from Ohio, & Beth Anderson from Kankakee. **Back row:** Steven DePasquale from KCC and Gerry Mestek from East Aurora.



Not pictured are: Renee Calabrese from Valley View, Patricia Mosley from Park Forest, & Therese Skwarczynski from Joliet Elem.

In early February, the AFT hosted its Great Lakes Regional Conference in Rosemont and, for the first time, invited all council presidents to attend. AFT Local 604 had one of the largest delegations with 14 attendees.

The upcoming Presidential election controlled a lot of the discussion lead by AFT president Randi Weingarten, whom Tinley Park president Julie Harris said, “is such a dynamic, motivational speaker.” It was evident by her speech and comments from the audience that the Union was not going to make the same mistake that it did by the early endorsement of Hillary Clinton in 2016.

“I loved how the AFT was taking ownership of the mistakes they made the last time around,” said Renee Calabrese, Valley View. “I know it is important to support the election, voting, the influence of our organization when it comes to endorsements, but it’s just not the day-to-day life I live as council president. I’m still processing how to figure out how to do more without crossing the line of upsetting our members who are ‘red.’”

At the time, the Democrats still had over 10 candidates vying for the nomination. Gerry Mestek, East Aurora, noted, “Their assessment that Labor issues are a priority and being able to identify candidates that were leaders is important.”

Moving forward and not rushing into an endorsement was evident in the questions. “We could openly discuss the concerns of our members and offer suggestions on how to move forward,” said Beth Anderson, Kankakee.

She added, “I was even more impressed with the efforts of the AFT partnering with other organizations, such as Fair Fight and For Our Future, in fighting voter suppression.”

Kristen Ryan, Ohio, said, “This was one of the better conferences I have attended. It gave great resources that I can access as a leader and how to engage my members in a way that was NOT one size fits all.” Kristen represents one of the smallest councils in the Local.

Numerous workshops also occupied the attendees time. After one session, Gerry Mestek said, “I was able to get some resources to help with membership in a better way. We were shown how data collected from surveys could help us direct our negotiations and plan local events more effectively.”



The Fault Lines in our Economy and the Need for Social, Economic, and Democratic Transformation

By Alan Scott, English Teacher from East Aurora

I was asked to write a piece on the importance of voting. That was before Coronavirus (COVID-19) took root in our lives and consciousness. Now it does not feel right to make the usual arguments to "get out the vote," considering people may be putting lives at risk by going to a polling station. COVID-19 has laid bare the fault lines, contradictions, dysfunctions, and inequalities of our economy in the starkest ways.

"Unskilled" and/or "entry-level workers": Workers who are too often derided or undervalued are now at the cutting edge of keeping our society functioning, such as workers in food preparation, delivery, sanitation/custodial, grocery, Amazon/Fed-Ex/UPS/postal, and elder/child care. The powerful interests who have fought efforts to raise the minimum wage have argued that these jobs do not deserve higher wages because they are "unskilled," "entry-level," are just "kids," but while some of us are at home riding out the storm, these workers are out there making sure we can continue to eat, have necessary supplies, inhabit clean and sterilized environments, and are providing for us in so many any other vital ways. These workers deserve *at least* \$15 an hour or full-time employment.

Non-traditional and gig workers: Our economy has made the push to gig-ify many jobs, pitching the advantage of "flexible hours" or "no boss." The reality is that those who work jobs like Uber will find it harder than ever to get paid during a time of business shut-downs, social distancing, and no gatherings, possibly even quarantines. When an economy fails due to no fault of one's own, are these workers supposed to be left to suffer? Even under the best of times these workers struggle, and the current crisis has only made this more acute and visible. Even workers in supposedly recession-proof industries are at-risk for insecurity, including those who work in restaurants, entertainment, transportation, etc. Ideas such as UBI, an ongoing Universal Basic Income, could be a lifeline for workers trying to find some stability.

The middle-class: Over 50% of Americans live in households that make \$60,000 or less, and now it isn't just the working-poor who face evictions, utility cut-offs, layoffs/firings, being denied unemployment, having food/nutritional deficiencies, struggling to pay student loans, child-support, or daycare tuition on time, etc. The crisis has democratized the daily existential threats normally faced by the working-poor and embedded them into the heart of the middle class.

The elderly: Those in their golden years are at highest risk for infection and death from diseases. Some are forced to continue to work to supplement their incomes. Others may be retired or unable to work, thus potentially facing social isolation. Among the elderly, normative non-crisis difficulties may include mobility; lack of dental, vision, and at-home medical coverage; elder abuse/exploitation; nutrition; transportation; and the constantly growing cost of living. Many try to scrape by on social security, and, if they are lucky, some hodgepodge of savings, investments, and pensions, while also sometimes continuing to care for adult children or grandchildren. Those who need the most security have the least.

Students, the homeless, those with mental illness, disabilities, the chronically ill, and the undocumented: Those who were already at the fringes of receiving secure medical care, benefits, wages, legal coverage, and political representation will once again find themselves struggling to be seen/heard by our government, who too often ignore them, and at worst, vilify them as being drains on the system. Can a homeless person practice social distancing? Can an undocumented person skip work when their boss is already exploiting them because of their labor, legal, and financial vulnerabilities? When a person suffers from anxiety, depression or PTSD, will they be able to get medical coverage, paid sick leave, etc., weeks/months/years after the crisis has "ended?"

Who will get government assistance – working people/small businesses or large corporations? Corporations are lining up at the trough for bailouts, additional tax cuts, credit extensions, or whatever else they can get out the crisis, meanwhile family businesses like restaurants, boutiques, retail shops, bars, you name it, are in danger of laying off their workers and/or shutting down. If past is prologue, the rich will get bailed out and workers/small businesses will get sold out; we can't let that happen again.

Every person needs medical coverage. As a society we are only as safe as our poorest, most vulnerable person. When income and cost is a determining factor in whether a person seeks and receives medical care, that is a failing of our system. Setting aside the immoral aspects of letting people go without coverage during a pandemic, it is *dangerous* to everyone that some will not seek medical assistance because of economic deterrents.

Every worker needs paid sick leave. A sick person may not stay at home if that means not getting the finances they need to live. The majority of Americans live paycheck-to-paycheck and many do not have enough savings to support them through an emergency, let alone a prolonged one. Recent bills passed by congress will not deal with long-term medical effects from the current crisis, nor last beyond the current crisis into the next one.

AM I BEING TOO NEGATIVE? Readers may feel that I'm catastrophizing. But as educators we know the importance of data and COVID-19 has shaken me (and hopefully others) from our fever-dream of stability to see what changes must occur in order to protect our children, families, communities, and fellow workers not just from future epidemics/pandemics, but economic and medical instability *in general*.

Union coverage: Many of the things that would help workers are benefits and securities that unions have been fighting for for hundreds of years. We need legislation to make it easier for those who want to join a union to do so. Unions can help put into place the securities that can help workers and their families weather the storms to come.

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SOLIDARITY: Social distancing is something of a symbol of our time. Many of us already felt isolated, separated, and disconnected, and now public health depends on it. How do we come together as we pull physically apart? It isn't enough, is it, to stare at a screen all day while the world continues to fracture under its own weight? Do you have that *yearning* to help, heal, rebuild, and love? Reach out to students who need your guidance and support. Put up a sign at your apartment complex offering help those who are elderly, immune compromised, or sick with the virus get groceries. Face-time via screens with people who are isolated. Call your relatives often just to check in. Crisis can bring out the worst in people (e.g., price gougers), but it can also bring out the best. Under pressure, most people remain who we are, which are loving, resilient, and caring people. Let's make the history book narrative about these COVID-19 times about how it inspired us to find our hearts, and, as a result, we the people pushed forward changes that forever improved the lives of everyone, like the New Deal did during the Great Depression. Wouldn't that be something?

And getting back to the original article idea for "getting out the vote," **we need to radically restructure the entire way we approach voting, making it a deep rooted part of the American soul.** Making voting days national *paid* holidays; lowering the voting age to 16; having automatic voter registration; bring civics back into schools; publicly funding elections, thus getting big corporations and dark money out of politics; allowing those with felonies to vote; making voting easier for marginalized communities by having more polling places with easier voting processes; providing free rides to polling stations; having outreach to immigrant communities to encourage them to vote; connecting to communities all year long, not just during election cycles; and providing online or easy mail-in voting options. That would be something too, wouldn't it?



Sitting at home there is a lot of time to dream. But dreams remain mere wisps of the imagination if we don't act. It is time to act. Social distancing is a physical thing. We can still connect our hearts and minds, and align our interests and struggles. Come together, people.

Garrity and why you should care!

By Erik Jurgens, Field Service Director at AFT Local 604

If you are unaware of the name Garrity then this article is for you. Edward Garrity was a police officer in New Jersey back in the 1950's and early 60's; in 1961 the Attorney General began an investigation on him and five others for "fixing" tickets. When Garrity and the others were called into question they were told that anything they said might be used against them in criminal proceedings. So, of course he chose to plead the 5th! But they were also told if they refused to answer the questions they would be terminated for insubordination. So, just like most of the people we know, they caved, in hopes not to lose their jobs. Later, their statements were then used against them in prosecuting and convicting them.

Garrity's legal defense brought the case to the US Supreme Court in 1966. The Appellants, Garrity's team, argued that their statements made under the threat of termination were coerced and therefore a violation of both the Fifth and Fourteenth Amendments. On January 16th, 1967 the court ruled in favor of Appellants, asserting the option "to lose their means of livelihood or to pay the penalty of self-incrimination is the antithesis of free choice to speak out or to remain silent" and therefore indeed a violation of the Fifth and Fourteenth Amendments. This ruling would thereby overturn the criminal charges. However, US Supreme Court Justice White's opinion inserted, that to ensure the integrity of the police force, the Fifth Amendment does not prevent the employer from terminating an employee who refuses to answer questions.

Since this ruling, four sequential cases have fine-tuned these Garrity Rights to what we understand today: public employees are protected from being compelled to incriminate themselves during an investigation being conducted by the employer; however, refusing to answer an employer in an investigation is considered insubordination and a terminable offence; if the threat of termination for refusing to answer is imminent, the employee's statements become immune to future criminal prosecution. As a Union Representative, proceed with caution; validate and document the threat by the employer, because if a severe threat, like termination, does not exist the employee statements will be considered voluntarily offered and thereby not immune to criminal prosecution.

KNOW YOUR RIGHTS

Winners for the AFT Local 604 Scholarships

This year for the Paul O. Johnson Scholarship Award, we have first and second place winners.

For first place we'd like to congratulate Emma Harris, daughter of Kathy & Doug Harris who are both AFT Local 604 members. Kathy works for the IFT at the Local 604 office as support staff and Doug is a teacher at Streator H.S.

At the time of publication, Emma had attended MacMurray College in Jacksonville, Illinois. The College had just announced its closing for 2020-2021 and Emma is again in the process of applying at other colleges that have Special Education as a major. Emma will receive \$4,000 (\$2,000 per semester) award.

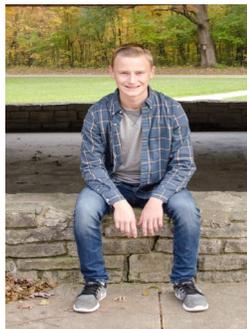


Our second place winner for the Paul O. Johnson Scholarship Award goes out to Matthew Adams, the son of Kristen and Michael Adams. Kristen is a member of AFT Local 604. She is a teacher at LaSalle—Peru High School. Matthew will be attending the University of Northern Iowa and majoring in the Teaching of Mathematics. Matthew will receive \$3,000 (\$1,500 per semester) award.



This year for the Jacqueline B. Vaughn Memorial Scholarship Award, we have first and second place winners also.

For first place we'd like to congratulate Bryson Laken, the son of Tara and Mike Laken. Tara is a member of AFT Local 604. She works at Joliet Junior College as an instructor. Bryson will attend Purdue University in Indiana and would like to major in Civil Engineering. Bryson will receive \$4,000 (\$2,000 per semester) award.



Our second place winner of the Jacqueline B. Vaughn Memorial Scholarship goes to Matthew Badali, the son of Joann and Marc Badali. Joann is an AFT Local 604 member. She works as Technical Office Support Staff at Joliet Junior College. Matthew will attend the University of Illinois in Urbana/Champaign. He will major in Mathematics. Matthew will receive \$3,000 (\$1,500 per semester) award.



Congratulations to all our scholarship winners! Best of luck to you in your bright futures!



**Next Senate Meeting
August 12, 2020 5 p.m.
AFT Local 604 office in Crest Hill**



IFT/AFT, AFL-CIO

UPDATE

American Federation of Teachers Local 604
www.aftlocal604.org

Darlene Mercer, Office Mgr./Editor/darmercer@ift-aft.org

1520 N. Rock Run Drive #1
Crest Hill, Illinois 60403-3232
PH: 815.725.0402
FAX: 815.729.2130

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