

In my first message of the year I covered the Taylor Law and its history. As I sit here on this late November day, I thought I'd add a sequel which covers union representation... Did you ever wonder why you are entitled to union representation? Weingarten Rights and Cadet Rights are important things to know if you are ever called into a meeting.

On July 18, 2007, Gov. Spitzer signed a bill which restored Weingarten Rights for public employees in the state of NY. In a decision by the NYS Court of Appeals in February 2007, public employees lost the right to representation in interviews or investigations that could lead to discipline. The bill amends the Taylor Law by explicitly making it an improper practice for a public employer to deny an employee's request for union representation when the employee is facing an interview by the employer that could reasonably lead to potential discipline. Weingarten rights guarantee an employee the right to union representation during an investigatory interview. Only employees who are in a union have Weingarten rights.

When should you ask for union representation?

If a principal or other supervisor calls you into a meeting to obtain information which could be used as a basis for discipline or asks you to defend your conduct or if you have a reasonable belief that discipline may result from what you say, you have the right to request union representation and should ask for such representation.

Examples of such meetings are:

1. The purpose of the meeting is to investigate an employee's performance where discipline, demotion or other adverse consequences to the employee's job status or working conditions are a possible result.
2. The purpose of the meeting is to elicit facts from the employee to support disciplinary action that is probable or that is being considered, or to obtain admissions of misconduct or other evidence to support a disciplinary decision already made.
3. The employee is required to explain his/her conduct, or defend it during the interview, or is compelled to answer questions or give evidence.

You may ask for union representation before or even during a meeting. It is your right.

Do you need to answer every question during a meeting? The answer is 'no' due to something known as Cadet Rights. The 3020-a hearing process is the sole method by which tenured teachers can be disciplined in NYS, and the statute provides that no teacher can be compelled to testify at the hearing. Consequently, it has been established that a teacher can refuse to answer questions, without being found insubordinate, during an investigation that the teacher believes could lead to disciplinary action. The Cadet Rights were established through a disciplinary case involving a tenured teacher who was found guilty of misconduct through a 3020-a hearing. However, the decision of the hearing officer to dismiss a charge of insubordination was appealed by the school district. The insubordination charge was related to the teacher's refusal to answer questions during an investigation prior to the hearing. In the appeal decision, the Commissioner of Education agreed that a teacher need not answer questions in any pre-hearing investigation which could lead to a 3020-a hearing. The decision was affirmed by the courts.

On behalf of the entire executive committee, warm wishes for a Merry Christmas, Happy Chanukah or any holiday you may celebrate and a Happy and Healthy New Year.

In Unity,

# Annual NYSTRS Conference

On November 5-7, 2016, Mark Hanik, Kat Kelly, and Debra Puccio represented Syosset teachers at the 2016 annual meeting of NYSTRS delegates. More than 700 delegates attended the conference at the Saratoga Springs City Center. For two days, NYSTRS delegates attended a variety of seminars that covered topics ranging from NYSTRS benefits, pension options, and Social Security to NYSTRS communication updates, economic/market trends, and keeping your personal information secure. On the third day, NYSTRS delegates attended the business portion of the conference. Delegates took part in a question-and-answer period with the NYSTRS Board and staff. The business was concluded after annual elections were held. Jolene T. DiBrango, teacher from the Pittsford Central School District, was re-elected to a three-year term on the 10-member Retirement Board.

Recently, you should have received your NYSTRS Benefits Profile in the mail. The Profile booklet contains the same important and personal information as it has in the past. But, this year, the booklet was folded in half and mailed in a smaller envelope. Please make sure you received your copy. Please be sure to look over your designated beneficiaries. Sometimes our situations change due to divorce, marriage, or death; you want to make sure the person(s) you previously designated is/are still the person(s) you want now. You can download a "Change of Beneficiary" form on [nystrs.org](http://nystrs.org) or you call NYSTRS for beneficiary information at (800) 348-7298 x.6130. Any changes you make at NYSTRS should also be made at Syosset for any district policies you carry. Contact Karen Femminella at the Syosset Benefits Office at ext 5664.

If you have already set up a MyNYSTRS online account at [nystrs.org](http://nystrs.org), your Profile booklet can also be downloaded. If you haven't set up a MyNYSTRS account, we strongly suggest you do. You will need your Employee ID number which can be found on your Profile booklet. Setting up a MyNYSTRS account is especially useful for those retiring. Status of paperwork can be tracked and information specific to your personal options are confidentially stored in your account.

Those retiring this year, or in the next few years, want to stay informed with pension options and deadline dates for filing. Attending a PREP seminar, hosted by NYSTRS, is very helpful. You need to register for the seminar. Please be advised that they fill up fast. Search dates online at the NYSTRS website or call NYSTRS directly at (800) 348-7298 x.6180. In addition, you can arrange for a retirement consultation via video conference to get the process started. NYSTRS staff members are extremely knowledgeable and can best direct you according to your personal needs. It is important to note that everyone's financial and personal life is unique. Please speak with a NYSTRS representative before making these important and binding decisions. They are the professionals and the only ones qualified to address your needs.

Copies of the seminar presentations can be downloaded at [nystrs.org](http://nystrs.org) by typing "2016 Delegates Meeting" into the search box. Open the article, "Annual Delegates Meeting" and then click on "2016 Delegates Meeting" to find the following links:

[Service & Salary: What's Includable in Your Benefit and What's Not?](#)

[Social Security Information](#)

[What's New at NYSTRS?](#)

[Wondering What Retirement Will Be Like as a NYSTRS Member?](#)

[Communication Is Key](#)

[Ensuring Your Personal Information Is Secure](#)

[NYSTRS' Strength: A Picture Is Worth a Thousand Words](#)



# Letter of Intent (LOI)

For the Syosset district, you will need to file a letter of intent to receive retirement benefits. Teachers interested in retiring in the 2016-17 school year, must inform the district of their intent to retire **five months prior** to the date of retirement.

- The LOI is not binding, provided teachers word their letters correctly. Sample provided below.
- Remember, even if you plan to leave before or after June, you must give five months prior notice of intent and three months prior notice of resignation. (For example - submit LOI by February 1st for a June retirement.)
- A “Letter of Resignation” must be submitted **at least three months** prior to leaving. (For example, submit “Letter of Resignation” by April 1st for June retirement.)
- Letters should be sent to the Superintendent of Schools, Dr. Thomas Rogers.
- If you submit your LOI and do not follow up two months later with your Letter of Resignation, your original LOI becomes null and void.

## Sample Letter of Intent for Retirement

It is my intention to retire at the end of this school year (or date of intent).

I reserve the right to remain employed as a teacher by the school district should my plans change.

Please accept this letter in fulfillment of my obligation to give five months prior notice of my intention to retire as required by the teachers’ contract.

## Sample Letter of Resignation for the Purpose of Retirement

As of (date), for the purpose of retirement, I resign my position as a teacher in the Syosset Central School District.



### Thank You

- For all your generous donations. The STA raised almost \$3000 toward the fight against breast cancer.
- The Outreach program is a true success thanks to our members! With all your kind donations Jody Braun was able to deliver Thanksgiving Baskets to families in the Syosset community.

### REMINDERS

Next STA Rep Council meeting  
Jan 12, 2017

Please note  
No December 8 Rep Council Mtg.

### For 2016 Tax Purposes

- Full-time teachers paid dues in the amount of \$943.00 from January 1, 2016 through December 31, 2016.
- Full-time nurses paid dues in the amount of \$513.00 from January 1, 2016 through December 31, 2016
- Part time teachers and nurses should look at their last pay stub in December from which dues were deducted.

**Your Employee Assistance Work/Life Program (EAP) provides support for a variety of personal and professional concerns including emotional well-being, family and relationship issues, job-related difficulties, substance abuse and others. Trained professional counselors are available 24/7. Your EAP can help. Call 800-833-8707 for a free and confidential consultation.**

# Rep Council Notes...

## Last Meeting: 10/13 & 11/10/16

Treasurer's Report  
Committee Reports  
Political Action  
Wellness  
TRACT  
REC  
President's report

## Rep. Council Attendees:

### Baylis

Vicky Deletrain  
Sonia Kuhl

### Berry Hill

Sandra Hoffman  
Courtney Orphanos\*

### Robbins Lane

Angela Alfred\*  
Joyce Ettinger\*  
Lauren McAuley

### South Grove

Cathy Bozza\*  
Bridget Perlmutter\*  
Marie Vasco\*  
Michele Webb\*

### Village

Allyson Giles\*  
Eileen Hoffman  
Diane O'Connell\*  
Michelle Potvin\*

### Walt Whitman

Lori Bookspan\*  
Jennifer Gustafson\*  
Candace Nupp\*  
Michele Strauss

### Willits

Ann Marie Hennessey\*  
Denise Martinez  
Elissa Wagner\*

### H.B. Thompson Middle School

Ann Cullen\*  
Darlene Darress  
Denise Giacobino  
Tania Johnson\*  
Lisa Maniscalco  
Marisa Occelli  
Kristin Peterson  
Regina Pesacani  
Arty Wakefield\*

### South Woods Middle School

Mike Gross\*  
Stephanie Russell

### OT/PT

Bonnie Pantell

### Tract Center

Fran Bernstein\*

### Syosset High School

Stacey Balducci  
Peter Haughwout  
Mary Hendrickson  
Rosemary Jones  
Jennifer Lamond  
Nicole Lynch  
Beth Schettino  
Debbie Smith  
Felicia Weiss

### Psych Services

Alena Kupferman\*

### REC

Matty Wolfson\*  
Fritz Weinrich\*

\* Attended both meetings



[www.facebook.com/syossetta](http://www.facebook.com/syossetta)

Or on twitter  
[@syossetta](https://twitter.com/syossetta)



2016-2017

## SYOSSET TEACHERS' ASSOCIATION EXECUTIVE COMMITTEE

Kim Pritchard, President	Carol Castaldi
Kat Kelly, Vice-President	Megan Halleran
Michael Callahan, Treasurer	Jody Braun
	Allison Noonan
	Debra Puccio

## STAnd United

November/December 2016  
Volume 27, Number 2

Syosset Teachers' Association  
President: Kim Pritchard  
Editor: Donna Stanziani  
<http://www.syossetta.org>