

Submitted for 2020

#1

BYLAW ARTICLE III, Section 1. D. – Membership, Affiliate Membership, Requirements of Membership

PRESENT TEXT

- (1) All local and county affiliates composed of active members shall include in their Bylaws a provision for unification of the local, the state Association and National Education Association (NEA) memberships;
- (2) All affiliates must remit the prescribed dues (See Article IV, Sections 2F & 3A).
- (3) All local affiliates shall continue to be organized and operated in a manner consistent with the purposes of the local and the state Association.
- (4) Every local and county affiliate shall submit annually, prior to July 1:
 - a list of its officers and their addresses, and
 - a statement setting forth all amendments or changes in its Bylaws or other governing instruments made during the preceding year.
- (5) All local affiliates shall update their current membership lists by December 31 of each year.

PROPOSED AMENDMENT

(Bold and strikethrough text)

Add new paragraph (6) at end of section:

- (6) All local affiliates shall submit to MTA by November 30 each year the contact information for all employees in the bargaining unit in the same electronic form as provided by the employer to the affiliate under state law.**

IMPACT STATEMENT

Local associations are now entitled, by statute, to a list of contact information for all employees in their bargaining unit. This information is to be supplied in electronic format by the employer. This amendment would require local associations to forward that information, in the same electronic format, to the MTA by November 30 of each year.

SUBMITTED BY

2020 MTA Executive Committee

2020 BYLAWS AND RULES COMMITTEE:

Recommends Adoption (6-0)

2020 MTA BOARD OF DIRECTORS:

Recommends Adoption (57-0)

Submitted for 2020

#2

**Bylaw Article XI, Section 1. A. – Discipline, Disaffiliation and Recall, Discipline/
Disaffiliation by Executive Committee, Cause**

PRESENT TEXT

A. Cause

- (1) Members and/or affiliates that fail to comply with standards and procedures as set forth in these Bylaws shall be subject to admonishment, censure, suspension, expulsion or disaffiliation as prescribed in these Bylaws.

- (2) Members who fail to comply with the standards and procedures as set forth in the constitution and Bylaws of the affiliated local may be excluded by the local from membership as long as those documents do not conflict with the MTA Bylaws.

PROPOSED AMENDMENT

(Bold and strikethrough text)

A. Cause

- (1) Members and/or affiliates that fail to comply with standards and procedures as set forth in these Bylaws shall be subject to admonishment, censure, suspension, expulsion or disaffiliation as prescribed in these Bylaws.

- (2) Members and/or affiliates that willfully fail to comply with MTA policies shall be subject to admonishment, censure or suspension.**

- ~~(2)~~ **(3)** Members who fail to comply with the standards and procedures as set forth in the constitution and Bylaws of the affiliated local may be excluded by the local from membership as long as those documents do not conflict with the MTA Bylaws.

IMPACT STATEMENT

This amendment would subject those members and affiliates that willfully fail to comply with MTA policies to admonishment, censure, or suspension.

SUBMITTED BY

Kerry Costello, Andover

2020 BYLAWS AND RULES COMMITTEE:

Recommends Rejection (6-0)

2020 MTA BOARD OF DIRECTORS:

Recommends Rejection (32-25)

Submitted for 2020

#3

Bylaw Article IV, Section 2., A. — Finance, Dues, Active Members

PRESENT TEXT

PROPOSED AMENDMENT

(Bold and strikethrough text)

Add after item (8):

(9) Local Affiliate Variance of Per-Member Dues

At its discretion, a local affiliate may charge individual active members an annual MTA dues rate that differs from those described above; this does not apply to NEA dues. Each local affiliate must remit its total overall dues obligation as assessed.

IMPACT STATEMENT

This amendment would give locals the flexibility to allocate MTA dues payments among their membership in accordance with a schedule set locally. There would be no change in MTA's revenue, as the total amount of MTA dues owed by each local would not change. NEA dues and the schedule for NEA member payments would not be affected.

SUBMITTED BY

2020 Task Force on Progressive Dues Structure: Anneta Argyres, Professional Staff Union (Co-Chair); Dave Gross, Retired (Co-Chair); Leslie Marsland, University Staff Association; Dan Monahan, Cambridge; Mary Schmitt, Fitchburg

2020 BYLAWS AND RULES COMMITTEE:

Recommends Adoption (6-0)

2020 MTA BOARD OF DIRECTORS:

Recommends Adoption (46-10)

Submitted for 2020

#4

Bylaw Article IV, Section 2., A. (4)a. — Finance, Dues, Active Members, Reduction in Force or Unpaid Leave

PRESENT TEXT

(4) Reduction in Force or Unpaid Leave

a. The annual dues of active members laid off due to a reduction in force or who are on a full-time, unpaid leave of absence shall be 15% of the annual dues of full-time active members.

PROPOSED AMENDMENT

(Bold and strikethrough text)

(4) Reduction in Force or Unpaid Leave

a. The annual dues of active members laid off due to a reduction in force or who are on a full-time, unpaid leave of absence **for an entire membership year** shall be 15% of the annual dues of full-time active members.

The annual dues of active members who are on an unpaid leave of absence for 8 weeks or more shall be 75% of the annual dues of full-time active members until such time as the duration of the unpaid leave of absence renders the member's employment equivalent to that of a half-time member, at which point 50% of the annual dues of full-time active members will be assessed.

IMPACT STATEMENT

This amendment would reduce the amount of MTA dues paid by members who are on unpaid leave for eight weeks or more to 75% of their normal full-time rate. If the member continues on unpaid leave until the point that their yearly employment is equivalent to or less than half of a full contract year, their MTA dues would be reduced to 50% of their normal full-time rate.

SUBMITTED BY

2020 Task Force on Progressive Dues Structure: Anneta Argyres, Professional Staff Union (Co-Chair); Dave Gross, Retired (Co-Chair); Leslie Marsland, University Staff Association; Dan Monahan, Cambridge; Mary Schmitt, Fitchburg

2020 BYLAWS AND RULES COMMITTEE:

Recommends Adoption (6-0)

2020 MTA BOARD OF DIRECTORS:

Recommends Adoption (51-2)

Submitted for 2021

#5

Bylaw Article IV, Section 2. A. (2) – Finance, Dues, Active Members, Part-Time Dues

PRESENT TEXT

(2) Part-Time Dues

- a. The annual dues of an active member, who presents evidence of part-time employment, which is at one-half (1/2) or less than one-half (1/2) of a full-time position in a given school system, shall be 50% of the annual dues of full-time active members.
- b. The annual dues of an active member who is employed by the University of Massachusetts Trustees or Board of Higher Education who presents evidence of part-time employment which is less than one-half (1/2) of a full-time position, shall be an amount equal to 20.4% of the annual dues of full-time active members, except that the dues for part-time active members who teach less than three (3) credits per semester shall be 10.2% of the annual dues of full-time active members.
- c. The annual dues of an active member who presents evidence that his or her employment was terminated prior to February 1 of a school year in a given school system shall be 50% of the annual dues of full-time active members.

PROPOSED AMENDMENT

(Bold and strikethrough text)

(2) Part-Time Dues

- a. The annual dues of an active member, who presents evidence of part-time employment, which is at one-half (1/2) or less than one-half (1/2) of a full-time position in a given school system, shall be 50% of the annual dues of full-time active members.
- b. The annual dues of an active member, who presents evidence of part-time employment, which is more than one-half (1/2) up to eight-tenths (8/10) of a full-time position in a given school system, shall be 75% of the annual dues of full-time active members.**
- ~~b-c.~~ The annual dues of an active member who is employed by the University of Massachusetts Trustees or Board of Higher Education who presents evidence of part-time employment which is less than one-half (1/2) of a full-time position, shall be an amount equal to 20.4% of the annual dues of full-time active members, except that the dues for part-time active members who teach less than three (3) credits per semester shall be 10.2% of the annual dues of full-time active members.
- ~~e d.~~ The annual dues of an active member who presents evidence that his or her employment was terminated prior to February 1 of a school year in a given school system shall be 50% of the annual dues of full-time active members.

IMPACT STATEMENT

Part-time members who are employed between 0.51 and 1.0 FTE currently pay full dues. The proposed amendment would reduce that assessment to 75% of full-time dues for members who are employed above 0.5 FTE and below 0.8 FTE. This may result in a reduction in MTA dues revenue.

SUBMITTED BY

2021 Task Force on Progressive Dues Structure: Annetta Argyres, Professional Staff Union (Co-Chair); Dave Gross, Retired (Co-Chair); Leslie Marsland, University Staff Association; Heike Mertens-Tuplin, Weymouth; Dan Monahan, Cambridge; Mary Schmitt, Fitchburg

2021 BYLAWS AND RULES COMMITTEE:

Recommends Adoption (7-0)

2021 MTA BOARD OF DIRECTORS:

Recommends Adoption (54-0)

Submitted for 2021

#6

Bylaw Article IV, Section 2. A. (8) — Finance, Dues, Active Members, Dues Reduction Based on Employment Date

PRESENT TEXT

(8) Dues Reduction Based on Employment Date

The annual dues of an active member who presents evidence of employment that starts after November 14, February 1 or April 14 of a school year in a given school system shall be, respectively, 75%, 50% or 25% of the member's annual dues for that school year. This section does not apply to part-time active members employed by the University of Massachusetts Trustees or Board of Higher Education.

PROPOSED AMENDMENT

(Bold and strikethrough text)

(8) Dues Reduction Based on Employment **Enrollment-Date**

The annual dues of ~~an~~ **a new** active member who ~~presents evidence of employment that starts~~ **enrolls for the first time** after November 14, February 1 or April 14 of a school year in a given school system shall be, ~~respectively, 75%, 50% or 25%,~~ **respectively,** of the member's annual dues for that school year. This section does not apply to part-time active members employed by the University of Massachusetts Trustees or Board of Higher Education.

IMPACT STATEMENT

Dues would be assessed from the date when a new member joins the MTA rather than from the date of initial employment, eliminating the need for a new member to pay in a sum of back dues when first enrolling in the MTA. This may result in a reduction in MTA dues revenue, but it may also encourage reluctant potential members to join up.

SUBMITTED BY

2021 Task Force on Progressive Dues Structure: Anneta Argyres, Professional Staff Union (Co-Chair); Dave Gross, Retired (Co-Chair); Leslie Marsland, University Staff Association; Heike Mertens-Tuplin, Weymouth; Dan Monahan, Cambridge; Mary Schmitt, Fitchburg

2021 BYLAWS AND RULES COMMITTEE:

Recommends Adoption (5-2)

2021 MTA BOARD OF DIRECTORS:

Recommends Adoption (47-1)

Submitted for 2021

#7

Bylaw Article IV, Section 2. A. (8) — Finance, Dues, Active Members, Dues Reduction Based on Employment Date

PRESENT TEXT

(8) Dues Reduction Based on Employment Date

The annual dues of an active member who presents evidence of employment that starts after November 14, February 1 or April 14 of a school year in a given school system shall be, respectively, 75%, 50% or 25% of the member's annual dues for that school year. This section does not apply to part-time active members employed by the University of Massachusetts Trustees or Board of Higher Education.

PROPOSED AMENDMENT

(Bold and strikethrough text)

(8) Dues Reduction Based on Employment Date

a. The annual dues of **a new preK-12** active member who presents evidence of employment that starts after November 14, February 1 or April 14 of a school year in a given school system shall be, respectively, 75%, 50% or 25% of the member's annual dues for that school year.

b. **The annual dues of a new Higher Education active member who presents evidence of employment beginning during the indicated month shall be prorated as indicated:**

July – 100% of the annual dues

August – 91.7% of the annual dues

September – 83.3% of the annual dues

October – 75% of the annual dues

November – 66.7% of the annual dues

December – 58.3% of the annual dues

January – 50% of the annual dues

February – 41.7% of the annual dues

March – 33.3% of the annual dues

April – 25% of the annual dues

May – 16.7% of the annual dues

June – 8.3% of the annual dues

This section does not apply to part-time active members employed by the University of Massachusetts Trustees or Board of Higher Education.

IMPACT STATEMENT

Higher education professionals who are hired throughout the school year currently face a potentially hefty dues bill when they enroll in the MTA. This amendment prorates their dues by the month in which they begin employment, reducing the dues assessed in their first year of membership. This may result in a reduction in MTA dues revenue, but it may also encourage reluctant potential members to join up.

According to MTA staff, this amendment may result in an approximately \$68,000 drop in dues revenue. It will also result in a substantial increase in the amount of staff time required to manually calculate and process initial-year member dues.

SUBMITTED BY

Sherry Horeanopoulos, Association of Professional Administrators; C.J. O'Donnell, Massachusetts State College Association

2021 BYLAWS AND RULES COMMITTEE:

Recommends Adoption (6-1)

2021 MTA BOARD OF DIRECTORS:

Recommends Rejection (35-17)

Submitted for 2021

#8

Bylaw Article VII, Section 6. C. — Nominations, Elections & Terms of Office, Statewide Retired District Director(s), Election.

PRESENT TEXT

C. Election

- (1) The only candidates shall be those nominated in accordance with Section 6B above.
- (2) A maximum of two Statewide Retired District Director(s) shall be elected at the Annual Meeting of Delegates by the delegates representing the Statewide Retired District.

If the number of candidates is equal to the number of seats to be filled, the election shall be waived and the candidate(s) declared elected.

PROPOSED AMENDMENT

(Bold and strikethrough text)

C. Election

- (1) The only candidates shall be those nominated in accordance with Section 6B above.
- (2) A maximum of two Statewide Retired District Director(s) shall be elected at the Annual Meeting of Delegates by the delegates representing the Statewide Retired District. **The candidate(s) receiving the highest number of votes shall be declared elected.**

If the number of candidates is equal to the number of seats to be filled, the election shall be waived and the candidate(s) declared elected.

IMPACT STATEMENT

The current language is silent on the number of votes required to be elected (majority vs. plurality). The proposed amendment would stipulate that the Statewide Retired District Directors shall be elected based on the highest number of votes received. This amendment will make the election of the Statewide Retired District Directors consistent with the election of the other Board members.

SUBMITTED BY

MTA Credentials and Ballot Committee: Deb Mousley, Co-Chair, Methuen; Pam Rivers, Co-Chair, Agawam; John Gunning, Stoughton; Paula Higgins, Malden; Kelli Malke, Chicopee; Kathleen O'Donoghue, Medford; Jasmine Ortiz, MCCC; Andrew Wendt, Leicester Paraprofessional Association

2021 BYLAWS AND RULES COMMITTEE:

Recommends Adoption (7-0)

2021 MTA BOARD OF DIRECTORS:

Recommends Adoption (52-0)

Submitted for 2021

#9

Bylaw Article VII, Section 3. D. (4) – Nominations, Elections & Terms of Office, Regional, Statewide Retired and At-Large Executive Committee Members, Election

PRESENT TEXT

D. Election

- (4) One At-Large ESP Executive Committee member shall be elected at the Annual Meeting of Delegates by all delegates. The candidate receiving the highest number of votes shall be declared elected. In the event that a majority is lacking on the first ballot, a second ballot shall be held between the two highest vote-getters.

PROPOSED AMENDMENT

(Bold and strikethrough text)

D. Election

- (4) One At-Large ESP Executive Committee member shall be elected **by majority vote of the delegates** at the Annual Meeting of Delegates ~~by all delegates. The candidate receiving the highest number of votes shall be declared elected.~~ In the event that a majority is lacking on the first ballot, a second ballot shall be held between the two highest vote-getters.

IMPACT STATEMENT

The current language is contradictory in that it refers to both plurality and majority. The proposed amendment would remove the contradiction and stipulate that the At-Large ESP Executive Committee member shall be elected based on a majority vote. This amendment will make the election of the At-Large ESP Executive Committee member consistent with the election of the other At-Large Executive Committee members.

SUBMITTED BY

MTA Credentials and Ballot Committee: Deb Mousley, Co-Chair, Methuen; Pam Rivers, Co-Chair, Agawam; John Gunning, Stoughton; Paula Higgins, Malden; Kelli Malke, Chicopee; Kathleen O'Donoghue, Medford; Jasmine Ortiz, MCCC; Andrew Wendt, Leicester Paraprofessional Association

2021 BYLAWS AND RULES COMMITTEE:

Recommends Adoption (6-0)

2021 MTA BOARD OF DIRECTORS:

Recommends Adoption (55-0)

Submitted for 2021

#10 Bylaw Article I, Name

PRESENT TEXT

The name of this organization shall be the Massachusetts Teachers Association, hereinafter referred to as the Association.

PROPOSED AMENDMENT

(Bold and strikethrough text)

The name of this organization shall be the Massachusetts ~~Teachers~~ **Educators'** Association, hereinafter referred to as the Association.

IMPACT STATEMENT

This amendment would change the name of our organization to the Massachusetts Educators' Association. The impact of this amendment on the MTA and its membership cannot be overstated. It will profoundly affect the identity of this organization and who it represents. We have a 175-year history of democracy and inclusion and, on one hand, this action epitomizes everything we stand for in terms of representing every person who involves themselves in education. On the other hand, it will result in the expenditure of a great deal of work, time, and money in order to resolve legal, financial, and public relations issues that will include such things as:

- 1) Complete rebranding and trademarking our new corporate identity.
- 2) Legally changing our name on all corporate, legal, financial, contract and tax documents.
- 3) Revision of all internal documents including the Standing Rules, Bylaws, Policies and Resolutions.
- 4) Overseeing changes in contractual relationships between this organization and every organization we do business with, including approximately 400 locals and chapters.

All of these things can be accomplished, but they will require careful thought and deliberate action on a meticulously planned timetable.

SUBMITTED BY

Yahaira Rodriguez, Educational Association of Worcester

2021 BYLAWS AND RULES COMMITTEE:

Recommends Adoption (7-0)

2021 MTA BOARD OF DIRECTORS:

Takes No Position (38-21)

MEMBERS OF THE BYLAWS AND RULES COMMITTEE:

Peter Schoonmaker, Chair
Nancy Aykanian
Karin L. Baker
Caroline Coscia
Ben Eisen
Jim Kaplan
Yahaira Rodriguez
Regine White