

PAT MEMBER RIGHTS REGARDING REPRESENTATION

PAT members have a right to be represented whenever asked to meet with an administrator about anything that might result in disciplinary action or other negative consequence (Article 19, Section F on page 59).

- ✓ Members are entitled to written notice, prior to the meeting, of the reasons for the meeting and of the right to representation.
- ✓ The administrator should “cooperate in good faith to schedule a meeting within a reasonable period of time”. This may be delayed if representation is not available. If the building representative suggests that a higher level of representation may be needed, the meeting should be scheduled in coordination with the PAT UniServ Consultant and/or legal counsel.
- ✓ If a member finds him/herself in a meeting that becomes disciplinary, without such prior notice, the member should ask for representation before the meeting continues, or the meeting should be postponed.
- ✓ If the administrator is vague about a meeting’s purpose – says she has a question, gives a general answer, or refuses to say why she wants to meet – the member should arrange to have someone go to the meeting with them and tell the administrator that a representative will be present. Alternatively, the member could ask the administrator in writing prior to the meeting if “the meeting could result in disciplinary action”.
- ✓ A member should tell the administrator to stop any meeting in which the administrator becomes critical of performance, abusive, or threatening in any way until the member can get representation.

Special Rights to Representation

Under the PAT contract (**Articles 19, 21, and 23**), the right to a representative extends beyond disciplinary meetings. Members are also entitled to representation in:

- ✓ **Evaluation Conferences (Article 23, Section I on page 66)**
A professional educator may ask for the presence of an observer in the meeting where he/she receives the formal written evaluation.
- ✓ **Plan of Assistance Meetings (Educator Handbook for Professional Growth and Representation).**
Professional educators are encouraged to seek representation and support in working through a Plan of Assistance
- ✓ **Parent Meetings (Article 19, Section G on page 59)**
A professional educator has the right to the administrator’s support at a meeting with a parent. Members are not required to meet with a parent without a workday’s advance notice. No tape recorder may be used at a parent meeting without the professional educator’s consent. A professional educator has the right to have a representative at a parent meeting where any negative complaints about the professional educator are being made.

✓ **Administrator Meetings Regarding a Complaint**

If an administrator intends to use a complaint made by a parent, citizen, student, or anyone else, the professional educator must be notified and a meeting held with 14 days. At the meeting the professional educator has the right to:

- have a representative
- be informed of the specifics of the complaint
- fully respond to the complaint

The administrator must disclose the name of the complainer if the administrator decides to take action toward a member.

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Special Notes regarding Representation:

1. **Emergencies**
Situations listed on the Emergency Sheet should be handled as listed there.

2. **Representation Must Be Requested**
Silence is essentially a waiver of rights – a member should clearly state that he wants union representation. The employee may stop a meeting if the focus suddenly appears disciplinary and the member believes disciplinary action may result. The member should request that the meeting be rescheduled to a time when a representative may be present. The employee may not leave the interview and seek out a union representative against a supervisor’s orders, but should clearly state “on the record” he wants a representative.

3. **Rep Availability**
Trained PAT Reps are available in nearly all buildings, special programs and for substitutes. Additionally, UniServ Consultants may be contacted at the PAT office. Meetings can be reasonably postponed until a Rep is available.

4. **Consulting with the Rep**
The employee has a right to a general statement of the charge before consultation with the union representative and the right to an opportunity to consult with the Rep before the meeting, or to step outside the meeting for that purpose.

5. **Behavior at the Meeting**
A member is not required to respond immediately to statements made by a supervisor or parent. The member may ask for time to respond to some or all of the statements. Members or their Rep should ask for specifics, including examples, of what is being discussed. The representative has the right to fully participate in the meeting by asking questions and speaking, and should take notes.

6. **Signing Evaluation or Reprimand**
Ordinarily, a member’s signature simply means he or she has read, but not necessarily agreed with, what is written. The member should ask for a copy of any signed document.

7. **Abusive Behavior**
If a supervisor or parent becomes abusive, the member and the PAT Rep should object and, if necessary, leave the meeting.

8. **At the End of the Meeting**
The member or Rep should ask the supervisor what the supervisor intends to do. If anything is going to be put into writing, contact the PAT office.