

**Week of** \_\_\_\_\_

**Supplied by the Federal Education Association**

Your Full Name: \_\_\_\_\_

Your School Name: \_\_\_\_\_

Work Telephone: \_\_\_\_\_

Home Telephone: \_\_\_\_\_

Home Email Address: \_\_\_\_\_

School Year 2009-2010 Pay Lane and Step: \_\_\_\_\_

Signature and date: \_\_\_\_\_

**If Management requires you to attend training and/or perform other newly assigned functions during educator's time, please write a brief description of what you were required to do, and how long it took, on the appropriate line(s) below. Please continue to complete this form weekly, as the violation is ongoing, and keep all completed copies of this form until FEA requests that you send them in to the FEA Washington office. Questions: contact FEAllegal@nea.org**

	<b>Monday</b>	<b>Tuesday</b>	<b>Wednesday</b>	<b>Thursday</b>	<b>Friday</b>
20 minutes before school:					
First Preparation Period:					
Second Preparation Period: (If your school has a second preparation period)					
Duty Free Lunch:					
30 minutes after school:					
<b>B). If you completed tasks that would normally have been done during the duty day on your own time, please note how long this took (e.g.- 30 minutes) and what you did, here:</b>					

To: FEA Leaders and Educators (For Immediate Distribution)  
From: H.T. Nguyen, FEA Executive Director/ General Counsel  
Date: September 23, 2009  
Re: **Legal Update #2 SY 2009-2010- Management Encroachment into Educators' Time**

As the new school year has started, management has begun to implement a number of changes without bargaining with the Association. In violation of the Negotiated Agreement, existing Memoranda of Understanding, past practice, and applicable federal laws, DoDEA is encroaching into educators' time by requiring educators to attend training and perform newly assigned other functions during: (1) the 20 minutes before and 30 minutes after the instructional day, (2) during the first and/or the second preparation periods (for the schools that have two preparation periods), (3) during the duty-free lunch period, and (4) at other times outside of the duty day.

As a result, educators are losing their educators' time and are being forced to perform tasks on their own time- tasks that they would normally have done during the above-mentioned periods. Our office has filed a series of grievances over these actions.

As noted above, our office has filed a number of Association Grievances over these intrusions by management into educators' time. As relief in these grievances, the Association is asking for compensation for the educators' own time used to perform tasks that would normally have been done during the periods of time mentioned above, as well as interest.

FEA has provided a one-page form (above, or available at <http://feaonline.org/passport/legal/updates/encroachment.htm>) which is to be completed on a weekly basis (including the time back to the start of this school year). Keep the completed forms in a safe place. Please continue to complete these forms on a regular basis, as the violation is ongoing. As we get closer to the arbitration hearing, we will be in contact to collect these forms.

When completing the form, please keep in mind that you are completing this document in anticipation of it being submitted for litigation. That means that the Association needs you to keep accurate and precise records on a daily basis.

The instructions for completing the form are as follows:

- 1) At the start of the week, write in the month and dates at the top of the form.
- 2) If management assigns you to perform training or a new function during educators' time, please record what you were ordered to do and how long it took on the appropriate line(s) of the form for that day.
- 3) Then, please make sure to note how much of your own time outside of the duty day was required to do the tasks normally done during educators' time.
- 4) At the end of the week, sign and date the form on the appropriate line, make a copy for your records, and keep the original(s) in a safe place.
- 5) As noted above, when the arbitration date approaches, our office will be in contact with everyone to collect the form(s).

If you have any questions about this process, please contact our office at [FEAlegal@nea.org](mailto:FEAlegal@nea.org).