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# Allegany County Education Association

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A full color electronic version of this newsletter can be found on our website.

April 2023



# The Advocate

## Awesome ACEA Educators!

Congratulations to our colleagues and ACEA leaders, Joe Thompson and Peggy Bass, for their well-deserved recognition as outstanding educators!

### ACPS Teacher of the Year

Dr. Thompson has been a music educator for 22 years, and is the long-serving, award winning band director at Fort Hill High School. Even with the extra-curricular obligations and extraordinarily little spare time, Joe joined the ACEA Representative Assembly this year to represent his building and contribute to our work.

### ACEA ESP of the Year

"Miss Peggy" as her students affectionately call her, has been an Instructional Assistant for 19 years and has spent the last decade at Mount Savage Elementary. Peggy is also a dedicated ACEA leader as a current member of the Executive Board, and a past Non-Certificated Vice-President and MSEA Delegate.



Dr. Joseph Thompson



Mrs. Peggy Bass

## Welcome New ACEA Member!

### Unit 1

Ken Pfromm Allegany

Don't forget to check out your

April NEA Membership Benefits

deals at <https://www.neamb.com/>

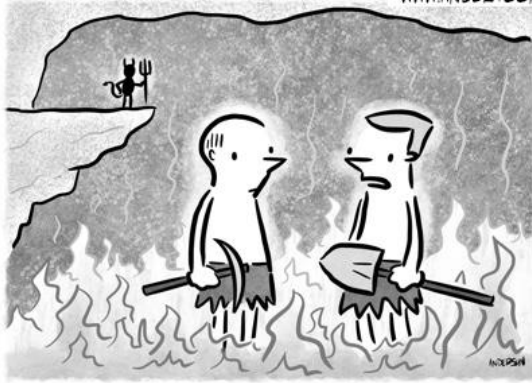


"So there's 5 lines on the staff, 4 strings on a violin, 6 on a guitar, and 88 keys on a piano. You're just making this up as you go along, aren't you!"



"I put them all in one basket on purpose. I like to live dangerously."

April is perhaps the pinnacle of the academic year. Most standardized testing is over, three of the four nine weeks are finished, elections are over and the General Assembly has concluded its annual session with notable wins for education as shared by MSEA. Together with the amazing spring weather and recent break, there is a renewed energy that is perceptible and can help us get across the finish line, and due to the new virtual weather days, is on schedule for students as Friday, June 2. Next year, this is even earlier on Wednesday, May 30! And to top it all off, a surprise retention bonus for all staff was approved at the April 11 ACPS BOE Meeting. Happy Proverbial April Showers!



"Don't get me wrong, I'm no fan of the heat or the backbreaking toil. It's the corresponding paperwork that gets me."

# The UD's Union Break

Rich Calhoun, ACEA UniServ

## Why can't Instructional Assistants work more than 2.5 hours of Afterschool?

The short answer is that IAs are classified as hourly employees and work 37.5 hours per week/contract. Once an additional 2.5 hours are worked, you have reached the normal 40 hour work week. Any time worked beyond that would be considered overtime, for which ACPS doesn't have the specific program money to budget and pay.

The long answer lies in a federal law called the Fair Labor Standards Act or FLSA. The FLSA outlines minimum wage, overtime, hours worked, child labor, and how the employer has to share this information and record pay. The FLSA specifically covers public school employees, and you have probably seen the Wages and Hours Division posters in your break room or office outlining federal minimum wage, and some of this information. Every public school system is required to post this information and provide a rule on how to comply with FLSA expectations for pay and overtime, so to answer the question about who gets overtime, we have to look at the FLSA.

Under the FLSA, there are two classifications of employees. The first classification is called "Exempt Employees." Chances are, you've seen this on your contract or your assignment sheets, under employee type. Exempt employees must meet a certain level of qualification in order to be exempt, or not eligible for, overtime. Within the public schools, these are teachers, administrators, and other employees that require "advanced knowledge" and are in a "field of science or learning." Often times you will hear to these types of employees as "salaried employees". "Non-Exempt" employees are typically referred to as "hourly employees" and are required to be paid overtime and at least the federal minimum wage. These employees are defined as "blue-collar" or having skills and knowledge for their work gained by "apprenticeships and on-the-job training." Within the schools, these workers would be most of the ESP employees, including secretaries, IAs, technicians, food service, and custodial staff.

To further clarify this, ACEA Unit 1 employees are not eligible for overtime pay because they are salaried per year. Many teachers work extra hours after their contracted time and are unfortunately not financially compensated for the work they do. ACEA Unit 4 employees are non-exempt, and therefore would be eligible for overtime. Overtime, under the FLSA, is required to be paid as time-and-a-half for any hours worked over 40 hours per workweek.

It is important for ACEA members, regardless of which unit you belong, to document their work and the time it takes them to complete it. ACEA wants to advocate for every member to be paid fairly for their work. It can start with overtime, and we can then negotiate for better wages and working conditions with the information and data you can share with us.



## Thank you to all who signed the *ESP Bill of Rights* in your building in support of our ESP Colleagues!

Pictured below are those who attended the signing events at Westernport Elementary (left photo) and the CCTE (right photo). Together we can make a good job great for all of our ACEA members.

