

*from the President ...*

## CONVENTION 2019: AN EVENTFUL TIME IN BUFFALO

Our 41<sup>st</sup> Annual NACST Convention convened in Buffalo over Columbus Day Weekend. I want to thank our two Buffalo affiliates for hosting us. DETA and its President, Joann Biggie, as well as SLTA and its President and Executive Committee Member, Chris Rusin, helped to make our weekend in Buffalo, with side trips to Niagara Falls, a delight.

The Friday Night Social with the Report of Locals brought us up to date on what had been keeping our local Union Presidents busy since we last met.

The Convention-Conference opened on Saturday morning as we welcomed back Dr. Charles Russo who is always a joy to have with us. Charlie is a wealth of information not to mention a good friend to Catholic Teacher Union leaders. He is, indeed, a treasure. Charlie's subject this year centered on one of the darkest days in Catholic Teacher Union history. It has been 40 years since the U.S. Supreme Court handed down its 5-4 decision in Catholic Bishop of Chicago v. National Labor Relations Board. The 1979 decision denied Board jurisdiction to Catholic elementary and secondary teachers in regard to their right to organize and bargain collectively with their employer.

I was at the United States Supreme Court the day lawyers for the Church and Catholic Teacher Unions presented oral arguments. My high hopes were dashed when our cause was narrowly defeated.

The decision was discouraging enough, but what happened as a result was both tremendously sad and, in my opinion, hypocritical, on the part of the leaders of the Catholic Church.

*cont'd on p. 4*

## NACST CONVENTION 2019

by Paul Fitzpatrick, NACST Secretary-Treasurer

The National Association of Catholic School Teachers recently held its convention over the weekend of October 11-13 in Buffalo New York. Delegates were treated to presentations by Professor Charles Russo of the University of Dayton and NACST Legal Counsel Martin Milz.

Each workshop dealt with an issue of high relevance for both Catholic school union leaders and members. Dr. Russo's discussion focused more on the relationship of the American Catholic Church in the United States to the Labor Movement, both within and outside of its structure while Atty. Milz's seminar focused on the nuts and bolts of effective organization and leadership within the unique milieu of a Catholic labor union.

Delegates participated in a lively and wide-ranging discussion of the history of the Catholic hierarchy in the United States, particularly as it related to attempts at employee organization within the many institutions which comprise the Church. While *Rerum Novarum*, issued almost 150 years ago identified labor unions as, "...the most important of society's organizations." Church leadership has not strictly followed the encyclical's direction when it comes to nurturing and dealing with the formation of labor organizations within its structures.

Professor Russo repeatedly pointed out the chasm between words, such as encyclicals and USCCB statements, and actions on the part of the hierarchy which have not been in alignment.

*cont'd on p. 5*

NACST President Rita Schwartz  
and Dr. Charles Russo,  
Panzer Chair in Education &  
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## Among the Locals

**ACT** (Philadelphia) - the 17 high schools in the Archdiocese are working under a two-year contract, with annual salary increases of \$1200, increases in moderators' stipends, and no increase in medical premium contributions

**AJCSTA** (Altoona-Johnstown) - "goodwill" donations by the union include \$500/year to each school's Alumni Association for a Named Scholarship and \$500 to each school Principal's Funds to aid students in financial need that may have arisen after other financial aid was distributed

**CTU** (Camden) - contract re-openers for two schools were completed in September, with a 1% increase in salaries and 1% increase in contributions to medical premiums

**SLATA** (St. Louis) - a three-year contract was successfully negotiated and became effective March 1, 2019, maintaining salary increases at 2% annually, health care benefits continue with no increase in costs, & continuation of early retirement/severance plans for long term teachers - the union also disburses a \$500 scholarship grant to each of the six schools in which SLATA members work, and up to \$300 per school to be used in fundraising efforts, with the name of the organization published and the union logo visible in the fundraising event



*Host Local Presidents Joann Biggie (DETA) and Chris Rusin (SLTA) with NACST President Rita Schwartz*

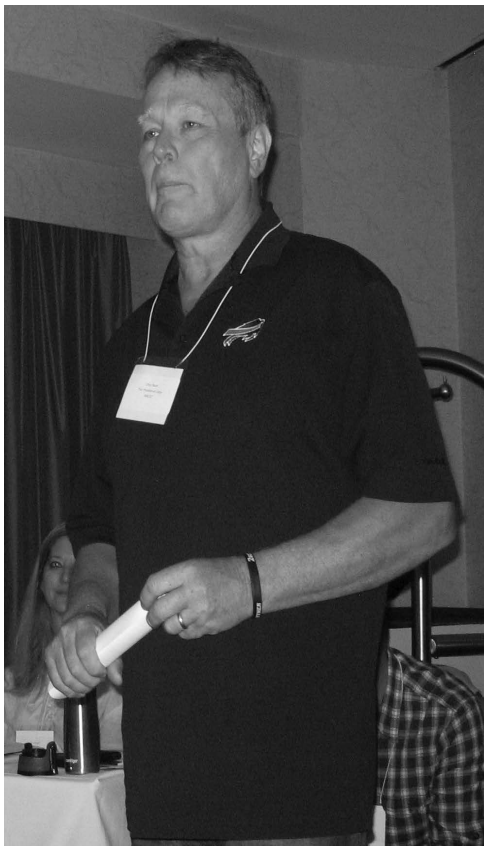


*Delegates at Saturday Lunch*



*NACST Executive Vice President  
Mike DeSantis*

*The 41st NACST Convention-Conference ...*



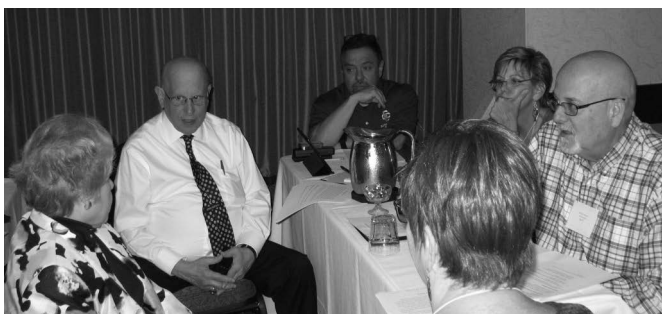
*SLTA President Chris Rusin delivering his Local Report*



*Delegates during the Grievance Workshop*



*DETA President Joann Biggie welcoming Convention Delegates to Buffalo*



*Convention Delegates role-playing during Grievance Workshop*



*Convention Guest,  
FCT President,  
Julia Pignataro*



*CTU Delegates with NACST President Rita Schwartz*



*from the President ... from p.1*

The Catholic Church has, for over a century, championed the rights of workers to unionize; that is, all workers except her own. I think this example says it all. The Ordinary of a small eastern diocese visited one of his high schools that had been exploring forming a union. Bishop told the teachers that he, certainly, recognized their right to form a union; however, he would close the school before he let that happen.

The Convention Delegates unanimously approved a Resolution urging the U.S. Bishops to practice what they preach. (See Page 6)

Our afternoon session highlighted NACST Counsel, Marty Milz, who gave all in attendance some great nuts and bolts information to help them keep their locals strong and smoothly running. Marty's interactive segments are always a hit.

The 41st Annual Convention was **Excellent** – so said the Delegates' Convention Surveys. I agree.

I wish all Catholic Teacher Union leaders a very productive and successful year.



*Convention Delegates during the Report of Locals*

*Rite*



*NACST Secretary-Treasurer, Paul Fitzpatrick, with  
Convention Keynote, Dr. Charles Russo*

***Dr. Russo's strategy for union officials (& members) to develop labor relations  
with the employer Church -***

\* Take it to the Bishops in 3 related ways...

1. Urge the Bishops to "Talk the talk, walk the walk" by consistency in applying Roman Catholic Social Teaching
2. Call on the Bishops to exercise good stewardship of financial resources
3. Encourage the Bishops to show transparency

\* Engage in shared decision-making between union officers and school administrators

\* Continue to engage in legislative activism first, judicial activism second,

1. At the state level - cf. NY, NJ, MN
2. Nationally, in the NLRA

## *Fitzpatrick ... from p.1*

Bishops in New York State have voluntarily submitted to civil authorities on matters of labor law and a New Jersey State Supreme Court decision, which the Bishops must follow, protects the rights of Catholic elementary and secondary teachers under the Constitution. The vast majority of the prelates in the United States, however, have refused to fully recognize the right of Church employees to organize and bargain collectively on a free and equal basis.

As Professor Russo sadly observed, “The Church preaches eloquent and uplifting language, but doesn’t practice it in their house.” He further went on to observe that Catholic schools, of which teachers are one of the fundamental components, offer contemporary American society two things it desperately needs; a good values-based education, as well as one that is generally free of hypocrisy and “walks the talk”. He lamented that a professional corps of teachers who are allowed to have significant input into the direction of these most precious of Catholic institutions, would greatly enhance the overall value, both spiritual and secular, of a K-12 Catholic education.

If the Catholic school system in the United States is to survive and serve the purpose it has in our history then teachers must be treated with both dignity and justice and this treatment can only be realized through the full participation of unions which advocate for the rights of all professionals engaged in the Church’s education ministry.

Attorney Marty Milz addressed delegates in the afternoon session and his presentation was titled “How to be a Good Union President”. Many of his insights, however, could be applied to making Catholic teacher unions more effective in their overall mission of serving teachers. Some of the more salient points made by Atty. Milz along these lines included “Be a good communicator” and “Be an organizer” Good and effective communication all the time, not just during contract negotiations, is crucial to maintaining an association’s credibility and strength, Milz argued, as all members are kept apprised of any and all developments which may affect their terms and conditions of employment. It is when information is kept from the rank and file membership that the particular union risks losing credibility both with the rank and file membership as well as the employer.

Clear, consistent, and open lines of communication are essential for any organization, such as a teachers’ union, whose primary charge is to represent and advocate for the collective interests of its membership. The idea of “being an organizer” dovetails nicely with the previous suggestion around communication. The strength of any labor organization, both in the short and long terms, is correlated to the level of engagement displayed by all members. It is not enough to just have “members” in your labor union; it is preferable that teachers strongly identify with the organization and view it as a critical component of their enduring livelihood.

An effective labor union operates, in many ways, as a social organization in which participants are linked to each other in ways other than a shared profession. This sort of arrangement allows for the critical task of recruiting the next generation of leaders to ensure the viability of the movement after the current leadership retires and enhances the power and prestige of the union from school administration to administration with the association being the reliable constant in the professional and personal lives of teachers.

As Milz pointed out, “History is important. It is good to remember the founding of the association and it is also good for a succession plan.”



NACST Legal Counsel Martin Milz

### **Understanding a Contract**

elements from the presentation by Martin Milz

- **clear and unambiguous language** - where contract language is precise and explicit, words and phrases are to be understood in their common meaning
- **specific language** - where contract language is specific in some respects, it is assumed to supersede another more general clause
- **normal & technical usage** - words and phrases are understood according to their common meaning, as opposed to some special meaning which either party may try to attribute to them
- **custom & past practice** - a practice must be mutual, it must have been accepted by both parties, and, when not apparent, the practice must be of sufficient duration for acceptance to be implied

**RESOLUTION  
NATIONAL ASSOCIATION OF  
CATHOLIC SCHOOL TEACHERS  
2019 CONVENTION    OCTOBER 12, 2019**

***WHEREAS**, the Social Justice teachings of the Catholic Church have, for over 120 years, championed the rights of workers to organize and to bargain collectively in good faith; and*

***WHEREAS** this year marks 40 years since the U.S. Supreme Court in a 5-4 decision denied Catholic elementary and secondary teachers the jurisdiction and protection of the National Labor Relations Act and the National Labor Relations Board; and*

***WHEREAS in NLRB v Catholic Bishop of Chicago**, the U.S. Supreme Court found that “neither the language of the statute nor its legislative history disclose any affirmative intention by Congress that church-operated schools be within the NLRB’s jurisdiction, [or] a clear expression of Congress’ intent to bring teachers of church-operated schools within the NLRB’s jurisdiction; and*

***WHEREAS**, despite over 120 years of papal encyclicals and U.S. Bishops’ pronouncements supporting the rights of workers to organize and bargain collectively, the U.S. Bishops have failed to take the initiative in the 40 years since the Catholic Bishop decision to establish structures or procedures within the Church to enable Catholic elementary and secondary teachers to exercise their rights to representation and collective bargaining;*

***THEREFORE, BE IT RESOLVED** that the Delegates in attendance at the 2019 Convention of the National Association of Catholic School Teachers do hereby hold the U.S. Bishops accountable for promulgating documents in support of Catholic workers unionizing while failing to live up to the Catholic Social Justice teachings represented in these documents; and*

***BE IT FURTHER RESOLVED** that the Delegates in attendance at the 2019 Convention of the National Association of Catholic School Teachers do hereby urge the leadership of the U.S. Catholic Church to create a Catholic Church Labor Relations Act that would establish the structures and procedures needed to fill the void created by the Catholic Bishop of Chicago Supreme Court decision.*

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