



**FAQ:
School
Employees
and
Coronavirus**

FREQUENTLY ASKED QUESTIONS

How long will the statewide school closure last?

It was announced that Maryland schools will be closed through April 24. However, during these uncertain times we don't know for sure if the closures will be extended. It's best that we things one step at a time.

Is there a plan yet if school closes through the end of the normal school year?

An extended closure of schools, even for the rest of the year, will create many unknown questions for students, educators, and each school system. MSEA will continue to advocate at the state level to waive or modify state level requirements to alleviate any negative impact on students and educators. Local association leaders and staff will continue to work directly with local superintendents and boards of education to resolve and communicate the vast number of decisions that the loss of a chunk of a school year could cause now and in the future on working conditions for employees.

Any plan for distance learning and continuing pay for non-exempt, hourly, employees will depend from system to system. Please stay in touch with your UniServ and local association.

Will certified and education support professional employees be paid?

The Education Article of Maryland is clear: "Education funding from State or local sources may not be reduced if there are less than 180 school days in any year because of an approved application." An "approved application" includes an event like the current pandemic. That means your local board's funding is protected.

Local boards may be interested in discussing language to give them authority to change employees' hours of service; assign unit members to work in different subjects or job classifications; cancel early release days, professional development days, or holidays; reduce

summer break; or institute reductions in force.

MSEA attorney and general counsel Kristy Anderson advises that "boards of education will want to ensure that employees who are paid during the pandemic leave make up that time through an extended school year or day; our job, however, is to ensure that employees are paid pursuant to the collective bargaining agreement."

For education support professionals, based upon statutory requirements ensuring that boards of education will continue to receive its full education funding allocation, pay should be continued. More importantly, those employees who are designated as essential employees—those required to report when all others are excused—may be entitled to time-and-a-half or double-time if your collective bargaining agreement provides it. For example, if you are a custodial staff employee and are required to report to disinfect the building, if provided for in your contract, you must be paid time-and-a-half or double-time. Your MSEA UniServ director will ensure that you receive it.

Your local association, UniServ directors, and MSEA staff are monitoring local agreements to be sure there is no opportunity for your board of education to renege on its obligation to pay you per your contractual agreement. MSEA's goal is to keep ALL employees on pay status.

Will the date for your paycheck in April follow the normal pay schedule or change because of the statewide closure?

Your pay schedule should remain the same.

Will teaching staff be required to deliver online instruction during the closure?

Most school districts are providing educators guidance regarding provisions for instruction, expectations, and support. But broadly speaking,

yes, teaching staff will be expected to support distance learning for students during the closure period.

If, during building closures, school systems offer instruction to students, then the system must make every effort to provide special education services to students with IEPs. Schools will need to determine how services will be offered to students with IEPs in order to avoid inequities. We are hopeful that special educators are part of that conversation.

With efforts to provide online instruction for all students, please review our document on distance learning and contact your local association with any questions.

Can employees be required to come to work during the statewide shutdown?

Potentially. The collective bargaining agreement may have specific requirements or language that should be adhered to until modified through a Memorandum of Understanding. Depending on your job category, especially if your position has been identified as “essential”, you may be required to report to work. Contact our local association and UniServ director with any questions.

If you face a new issue brought on by coronavirus’s effects on schools or your own personal situation, what can you do?

Don’t wait, contact your local association office and MSEA UniServ director.

April 1, 2020

