

CTA Bargaining Strategy - Notes from a CTA Bargaining Training, Oct. 10, 2009

Adapted from an email Craig Gordon sent to Oaklandteachers list October 19, 2009

I feel it is critical for all of us to be aware of the advice CTA is giving local leaders at this time and the political view and strategy from which such advice flows. That is why I am sharing what I learned at a recent CTA workshop on bargaining

I went to a workshop last Saturday, Oct. 10, the first part of a two session training by CTA, designed mainly for members of bargaining teams. As a member of OEA's Executive Board directly working with the BT, I felt it was important for me to attend. Much of the information given pertained to nuts and bolts, such as the various roles on a bargaining team, the importance of thorough research and preparation, etc. But before we got into any of that, CTA Bargaining Specialist Richard Boyd (also a former OEA executive director) gave what is apparently CTA's overview of the fiscal and political reality we now face and the best bargaining strategy to follow given that view of reality. I took copious notes of his comments and of the comments I made in response. My comments, including points I stated at the workshop, are in italics. I've used quotation marks only in the few spots where I am certain I've written Boyd's exact wording, but much of the rest of it comes very close to being direct quotation. That is, I took the notes as he spoke and was careful to be completely accurate about every point that he made.

Because the notes are long, I've highlighted a few key points in bold, underlined text.

Essentials of Bargaining – CTA Training October 10, 2009

CTA Staff: Richard Boyd, Bruce Colwell, Rosemary Louisaint, Kerry Moriarty, Brian Stafford. Richard Boyd, CTA Bargaining specialist, gave a lengthy overview of the fiscal and political environment in which bargaining now occurs.

First Boyd referred to a summary of a report distributed to us from School Services on the state budget. *[My note: School Services is the company that has produced "studies" for OUSD and other districts to bolster the need for union concessions or, at least, status quo.]* The state must refund Prop 98 by \$12 billion, not just the \$4 billion thought before. So that's an even bigger hit to the state budget than we'd thought. So we're in big trouble.

Boyd: "Next year we're looking at a \$15 billion deficit. Where's that going to come from?"

I asked, "How about from the state's corporations?"

Boyd: "That's not going to happen. We're not going to get a corporate bailout." He continued: Employers are going to try to push us back 30 years in bargaining. **We have to go to the district to tell them to lay off teachers. That's going to be hard to do, but it's "in your collective best interest that they lay people off."**

If your contracts are closed, don't open them. The districts are looking to cut compensation and all other cost items.

Anything less than status quo is a concession. **Currently the status quo is our victory.**

There is no money until 2014-15. Actually there will be decreasing money until 2014-15. This year's budget is based on last year's ADA. It will only be changed by a structural change to the budget, new taxes. And folks are socialized to think that taxes are evil. Even in 2014-15 we'll still be 10 years behind the standard of living we had in 1999, when the economic decline began.

So now we're in a structural depression. **To maintain the current program, we'd have to cut 40-45% of our compensation. So we have to cut programs.**

This brings us to CTA's overall strategy:

We have to raise revenue. So we have to cut programs so that "the public feels the pinch and the tug." Then they'll be for increased taxes.

So we can't strike now. Later, when the public feels the pinch and the tug, we'll be in a position to strike.

I proposed an alternative view: First it's important to question this truism that the public is "anti-tax." Poll after poll shows that they are in favor of increased taxes for public services and that they favor increasing taxes on corporations. We also know that corporations are paying about half of the taxes in the state that they paid in the late 1970s, early '80s.

That reality can shift if enough people begin to fight back. Many of the gains working people have achieved were won during the Great Depression. That came from people fighting back, striking, etc. The UC workers' strike and student walkout of September 24 could be the beginning of a fight back in California, and CTA could help to take that further by leading a statewide walkout at K-12. If we assume a static condition of cuts that we can't resist, then that's what we'll get. But we have an opportunity to begin to turn the tide. If we instead fight to maintain our compensation while cutting programs for the students, not only do we miss an opportunity to fight back, we risk alienating the public by refusing to fight for public education and instead just fighting for the narrowest possible interests.

Boyd: I don't disagree with anything you said, except on the timing. Polls are esoteric. People aren't feeling the pinch yet and they don't want to pay more taxes.

I reiterated that I'm not talking about working and middle class people paying more taxes—we've already passed parcel tax after parcel tax in district after district – but about making corporations pay for a bailout of public services instead of the public

bailing out the corporations. We know that there are trillions for banks, and people are angry now about that. We can begin to move now and not squander this opportunity.

Boyd repeats that people are not demanding that money [that paid for the bank bailout] now. **If we have effective relationships on the local level, we should build on local relationships to try to de-escalate the fighting. For example, get together with the district and work to sponsor a school bond. Or work with educational reform stuff, for example Race to the Top.**

In Richmond we're proposing creating a charter district. We think that teacher-driven and teacher-run charters are in the best interest of the students. Pure start-up charters.

In Richmond they've been fiscally irresponsible, only closing eight schools since 1992 instead of 25 like they were told to. Richmond is dead last among 48 counties in salary. Tops out at \$68,000 after 30 years.

If Richmond becomes a charter district, the state will give each site \$100,000 to design and start charters. And Chevron is offering to give some money, too. They're not specifying how much, but they're trying to get out of paying \$32 million to Richmond from Measure T.

We want to take back our profession from the education reformers, NCLB, etc. We want to go back to the guild model. We take responsibility for professional standards, we define them and uphold them. In return we want to be paid as professionals.

So instead of the industrial model of compensation in a traditional salary schedule, years of service, education, etc, we propose a guild model. This is our answer to merit pay, etc.

I said that in Richmond CTA is proposing a "master teacher" tier at the top of the salary schedule—even if determined by the union, district, and "community"—is a form of merit pay.

Rich says it isn't merit pay, because "we define it and are in control of it." He says that we have demanded to Richmond that if we're going to give concessions like no lifetime health benefits and make members pay \$1200/month for their health benefits, then we have to own our profession.

CTA staffer Kerry Moriarty says that your primary responsibility is to keep your members whole.

Boyd says that if you're "honest with people" and "don't shield them from the reality" they will own the cuts. They won't be angry at the union. Do not bargain concessions unless your members tell you to do so.

When this is over, CTA will not look the same. We'll either be a severely weakened organization or structurally sound.

After Richard Boyd spoke, CTA staffer Kerry Moriarty outlined the roles on the bargaining team and some of the process. At one point she stated that in California, we don't have fishbowl bargaining. (Bargaining in front of the members or the public.)

I said that there is no law in California that prohibits fishbowl and that we proposed fishbowl in Oakland and allow members to attend BT caucuses. It's on the district that they refused to allow transparency in bargaining, but we have made bargaining as transparent as possible and that's in the interest of the membership, because the better informed they are, the more willing and able they are to organize and fight for what our demands.

Kerry Moriarty replied: That's an approach that CTA does not recommend.

Bruce Colwell added: **And what typically happens in fishbowl bargaining is someone leading the bargaining team will have a conversation off-line, on the side with someone in administration to come to an agreement and then will bring it up in bargaining to make it look like it all happened in the open.**