

Preserve collective bargaining

Unions give people dignity, fairness, and a voice in the workplace. In Pennsylvania, contracts are negotiated through the collective bargaining process as set forth in Act 195 of 1970 and Act 88 of 1992. Through this process, PSEA members work together with their school districts to support quality education activities and to negotiate fair contracts.

PSEA's goals within this process focus on factors proven to positively affect student achievement while also meeting members' salary and benefit needs. Goals include seeking language that: guarantees class size/work load maximums; encourages staff development; provides teacher input into education materials, textbooks, and technology; ensures a safe, nonviolent, clean and healthy working environment; and provides competitive salaries and benefits designed to attract and retain the highest quality educators.

PSEA Recommendation

- Preserve Pennsylvania's Collective Bargaining Law.

Framework to meet student needs

Collective bargaining provides a foundation and security for public school employees upon which they build policies that enable them to meet the needs of the students they serve. It is this foundation that helps to attract the best and brightest minds into the teaching profession and to retain those individuals in the Commonwealth rather than having them leave Pennsylvania to find employment in other states or other professions. It also is through collective bargaining that teachers have a voice in improving the educational outcomes of their students.

Pennsylvania's Collective Bargaining Law provides a mechanism for resolving disputes between public employers and employees. The law: (1) grants public employees the right to organize and choose employee representatives; (2) requires public employers to bargain with those representatives; and (3) establishes procedures to protect the rights of all parties, including the public.

National research has shown that in addition to improved compensation and security for teachers, such union involvement in school districts improves student outcomes. For example, unionized districts are more likely to have smaller class sizes and more instructional preparation time. Several studies also have found math, economics, and SAT scores in unionized schools

The Power of a Great Education: PSEA's 20/20 Vision for the Future

improved more than in non-unionized schools; increases in unionization led to increases in state SAT, ACT, and NAEP scores and improved graduation rates.¹

Grimes and Register analyzed data from 2,000 high school seniors in 61 districts nationwide. The data, from the National Assessment of Economic Education survey, showed black students who attend unionized schools scored 13 percent above black students in non-unionized districts, all else equal.² Eberts and Stone measured a three percent union productivity advantage in a sample of 14,000 fourth graders in 328 elementary schools nationwide.

Even researchers who typically are at odds with the positions of teachers' unions have found that the supposed restrictions collective bargaining places on school district discretion are overstated. Analyzing collective bargaining in 40 Massachusetts school districts for the conservative Pioneer Institute for Public Policy Research, Dale Ballou found:

[T]wo things stand out. First is the variation among contracts. It is certainly not the case that all contracts are essentially alike. On virtually every issue of personnel policy there are contracts that grant administrators managerial prerogatives they are commonly thought to lack. There are many school systems where transfers and layoffs are not determined by strict seniority. In some districts administrators enjoy wide latitude to evaluate teachers on the basis of informal observation and discreet data collection. Not all contracts establish a just cause standard for teacher discipline. Many contracts place fairly strict limits on bumping and recall rights. Many impose no limits on class size. And so forth.

With only 40 districts in the sample, generalization is hazardous. It would appear that the simplest, least restrictive contracts are found in the more affluent small towns and the outer suburbs of Boston. In the larger urban districts and less affluent towns, contracts tend to be more restrictive. Larger systems are more bureaucratic and rule-bound.³

This is consistent with the more recent conclusion of the conservative American Enterprise Institute's Frederick Hess and his co-author.

Union critics have suggested that teachers unions in states with mandatory collective bargaining laws often help to write school district policy, that collective bargaining agreements [*sic*] are highly prescriptive, and that school boards and school leaders find themselves excessively constrained by contract provisions. However, our examination of collective bargaining processes and contracts suggests that such claims are at best an incomplete account, and at worst a misleading characterization of how collective bargaining affects district management.⁴

In his review of research by the Education Policy Studies Laboratory at Arizona State University, Robert Carini recommended that districts “should view teacher unions more as collaborators than as adversaries,” noting that “Given the empirical evidence, unions have a solid track record of supporting policies that boost achievement for most students.”⁵

There are many theories on why districts with collectively bargained contracts exhibit these positive indicators. Two strong theories point to the quality of educators and their ability to influence district policy. The working conditions in districts where contracts are collectively bargained give them an advantage over other districts in attracting highest-quality professionals. In addition, the collective bargaining process allows educators to have a voice in district policy, providing a means for them to clearly define conditions under which teaching and learning are most likely to succeed.

The well-defined grievance process that guides districts and employees not only helps in conflict resolution, it also can save money. There are efficiencies when employers negotiate with a single representative instead of hundreds of individuals. Channeling grievances to arbitration instead of the court system is an advantage for the teacher as well as the school district. It is a less costly process for both parties and, in most cases, a faster process. Employees and employers must work through the process and work to find solutions.

But the greatest value to the employer may be in the logic to the findings in the “exit-voice” literature as explained by Harvard economists Freeman and Medoff: when workers have access to a grievance process, they are less likely to exercise dissatisfaction by quitting their jobs; they have a voice in the process.⁶

(01/10)

¹ EPSSL summary of a “Teacher Unions and Student Achievement,” a chapter by Robert Carini in the book, School Reform Proposals: The Research Evidence (Information Age Publishing, 2002), edited by Alex Molnar.

² Grimes, W. P. and Register, C. A. (1991) “Teacher Unions and Black Students’ Scores on College Entrance Exams,” Industrial Relations, p. 492-500.

³ Ballou, D. (2000). “Teacher Contracts in Massachusetts” Pioneer Institute for Public Policy Research.

⁴ Hess, F.M. and A.P. Kelly 2006. “Scapegoat, albatross, or what?: The status quo in teacher collective bargaining.” in J. Hannaway and A.J. Rotherham (eds.) Collective Bargaining in Education: Negotiating change in today’s schools. (Cambridge: Harvard U Press), pp.53-87.

⁵ EPSSL summary of a “Teacher Unions and Student Achievement,” a chapter by Robert Carini in the book, School Reform Proposals: The Research Evidence (Information Age Publishing, 2002), edited by Alex Molnar.

⁶ Freeman, B. R. and Medoff, J.L. (1984) What do Unions Do? (New York: Basic Books Inc.).