

Protect school employees' right to strike

The issue of strikes has come under increased scrutiny in recent years and certain policymakers have taken a renewed interest in the issue. PSEA believes that, while they are unfortunate and should be minimized, strikes have a critical role in the collective bargaining process.

PSEA Recommendation

- Preserve the current right for school employees to strike as outlined by Act 88 of 1992.

Impact of Work Stoppages

Regardless of the fact that they are rare, strikes are particularly difficult for everyone involved, and neither teachers nor support staff have ever gone on strike without serious and often painful considerations. Yet, PSEA believes strikes are necessary as a last resort when all other efforts to produce a fair settlement have failed.

Often the two most referenced issues cited as cause for a strike are compensation and working conditions. Succinctly stated, compensation is a teacher quality issue. PSEA is willing to participate in discussions on a wide array of issues that affect teacher quality – such as recruitment, preparation, and continuing education. However, salaries for teachers and other education employees must be part of that discussion. Pennsylvania needs compensation that attracts and retains the kind of people students need and parents want. Why should people believe the laws of supply and demand end at the schoolhouse door? There is a relationship between salary and quality. It is clear that collective bargaining and the right to strike raise teachers' salaries.

Ultimately, the best negotiated settlement is one that the parties work out themselves through discussion, joint problem solving, and compromise. For 90 to 95 percent of Pennsylvania school districts, this time-tested process works and has actually improved labor relations, as indicated by the drop in strikes during the past two decades, particularly since the enactment of Act 88 in 1992.¹

Act 88, although not perfect, has established a balanced system for protecting the rights of educators and other school employees during contract negotiations. Changes to the system that have been proposed by critics of school strikes would tip the balance decisively *against* educators and school employees and without clear, research-based evidence to do so.

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

There are some who opine that it is the teachers' unions who hold students hostage for exorbitant salaries, or use the threat of a strike to their advantage. An examination of actual evidence illustrates a different reality. Current teachers' salaries account for a smaller portion of total school district budgets today than at any other time in recent history. Between 1986 and 2007, salaries as a percent of total district expenditures fell, while at the same time, bargaining unit sizes increased by more than 26 percent.

When benefits are added to the equation, the same holds true. Peaking in the mid-1990s at just under 57 percent of total school district budgets, salaries and benefits now account for less than 50 percent of all costs. This bears some emphasis. Although the number of teachers and other bargaining unit members has *increased* by more than 26 percent, the share of district budgets devoted to educators' compensation has declined substantially.

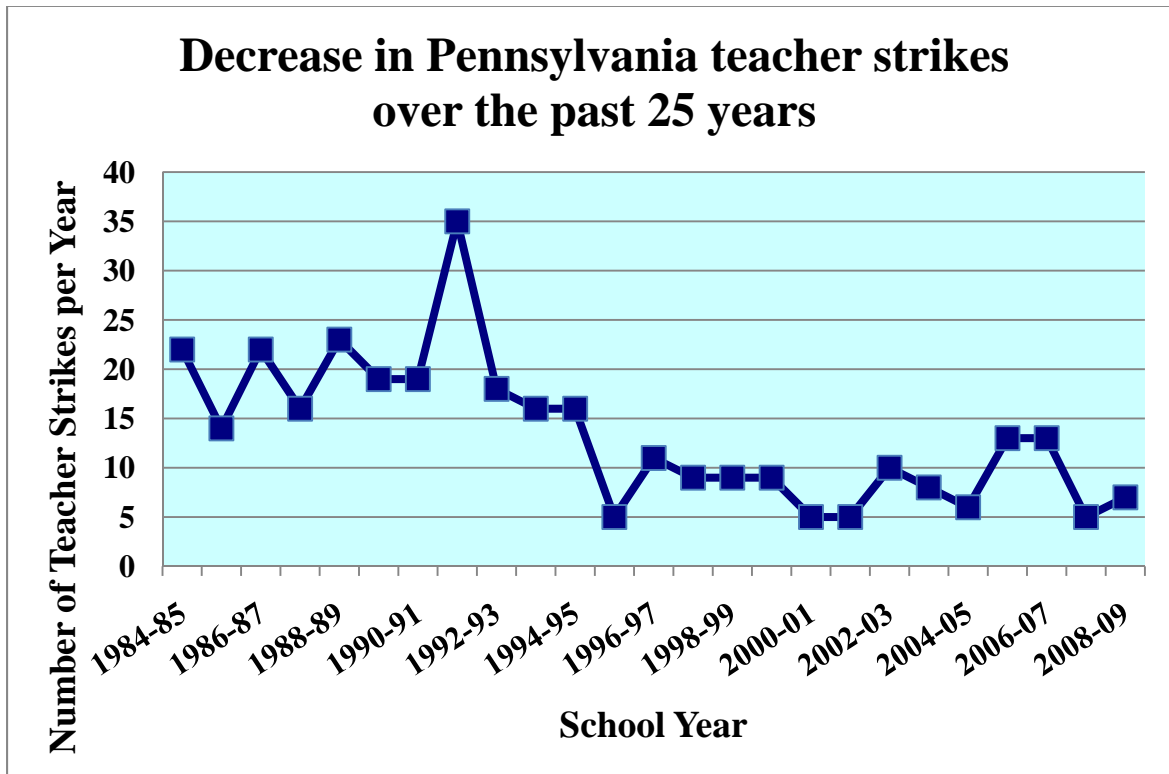
Critics of school strikes will also claim that strikes have a directly adverse impact on student achievement. In reality this is not the case. It is important to note that Act 88 ensures that students' instructional time cannot be affected. Since the passage of Act 88, no strike has prevented a school district from delivering the mandatory 180 days of instruction to students.

In addition, from an empirical standpoint, there is no evidence to support the claim that teacher strikes adversely harm student learning. In response to continued public discussion of the impact of teacher strikes, PSEA Assistant Director of Research Dr. Harris Zwerling conducted a study of the potential academic effects of strikes, using Pennsylvania System of School Assessment (PSSA) test scores from 2003-2004 to 2006-2007 and several different statistical models.² The validity of this research study has been confirmed by peer-review, which is considered a gold standard for meaningful research.

Dr. Zwerling was unable to find any statistical relationship between the incidence of teacher strikes and their duration and district level student performance on 46 different PSSA tests. This supports prior research in finding that Pennsylvania teacher strikes are not associated with negative academic outcomes, measured by district level PSSA test performance, attendance and graduation rates.

Dr. Zwerling also examined PSSA scores, graduation rates and attendance data of school districts that had teacher strikes between 1992-1993 and 2006-2007 and compared those districts to school districts that had not experienced strikes during the same period. His conclusion was that "...Pennsylvania teacher's strikes are not associated with negative academic outcomes, measured here by district level PSSA test performance, attendance and graduation rates."

Strikes are difficult and unpleasant experiences, and will continue to be a last resort for our members when negotiations fail to reach a settlement. But the research demonstrates that having the right to strike does not have a negative impact on school district budgets, or on the academic performance of students.



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¹ Act 88 of 1992 updated procedures and schedules for the collective bargaining process. The Act requires 48-hours notice before a strike begins; advisory arbitration is mandatory when a strike will prevent the school entity from providing 180 days of instruction before June 15 or the last day of the scheduled school year, whichever comes first; Strikes must cease when the parties submit to arbitration and may not resume until one of the parties has rejected the arbitration award; selective strikes are banned; allows teachers to strike twice in a school year; allows either party to request “fact finding” - which must be granted by the PA Labor Relations Board; employer may not use strikebreakers during the first strike who have not been employed by the district during the preceding twelve (12) months during the first strike; if a strike resumes after the arbitration award is rejected, the district may hire strikebreakers; the PA Secretary of Education may seek an injunction when the local has been on strike long enough that the district will not be able to provide 180 days by June 30.

² Zwerling, H. (2008). “Pennsylvania Teachers’ Strikes and Academic Performance.” *Journal of Collective Negotiations*, 32(2): 151-172.