

Will "Friedrichs" Derail Teachers Unions?

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Much has been written about the harm the Supreme Court will wreak on US labor if it overturns the right of public sector unions to charge nonmembers a fee equal to the cost of the union's expenses in representing them. Pundits on the left and the right have predicted a cataclysm. Will it "decimate" labor? Is it likely a "killing field for unions." Ironically, Supreme Court Justice Scalia (as David Moberg noted) is one of the few people who has identified how unions are actually weakened by representing "free riders," workers who haven't been persuaded that they should join the union. It's significant that Friedrichs targets the California Teachers Association because the case continues the intense teacher and teacher-union bashing that has characterized political rhetoric and policy about education reform in California, across the US and globally, from Democrats and Republicans. The Right has demonized teachers unions because they can be formidable opponents. Teachers and their unions are the best organized, most stable opponents of policies privatizing public education. As was evident from the 2012 strike of the Chicago Teachers Union, teachers unions that adopt a "social justice" orientation and are committed to building the union at the workplace (school site) can challenge the political status quo in ways other unions have not been able to do for many years.

However, despite - and because of - the ferocity of the attacks on teachers' wages, benefits and professional autonomy, teacher unionism is being reborn. Activist teachers are growing reform caucuses committed to transforming their unions in almost every major US city. From Philadelphia to Seattle, Boston to San Francisco, Massachusetts to Los Angeles, a new generation of teacher union activists is taking on — and down — the old guard.

The reformers' contestation is a serious challenge to the current union leaders, who must balance their self-conception as power brokers, nipping at the edges of the reforms pushed for public education (more privatization; standardized testing used to control what is taught and how; loss of due process protections for teachers), with members' increasing militancy. Increasing numbers of teachers don't want a "seat at the table" because they see their jobs threatened, schools closed, kids hurt by seemingly "practical" deals the union negotiates. The increasingly successful challenges to teacher union leaders who have controlled their locals for decades explains why the American Federation of Teachers (AFT) bulletin to members about Friedrichs eschews the grim predictions of most pundits. While noting the harm Friedrichs can do, the union argues it will weather a loss of agency fee — by organizing.

Members infuriated with the choice of AFT and the NEA (National Education Association) leaders to protect their access to the Obama administration instead of launching an offensive to turn

back policies teachers feel hurt the profession and kids, especially linking teacher salaries to students' standardized test scores, are not going to be placated by the unions' new interest in organizing. Many teachers feel betrayed, deserted, by the organizations they looked to for support of the profession and public education.

Friedrichs will do the most harm to the unions that are most bureaucratic, that have relied on the legal right to collect fees rather than do political education — organizing — of members. A ruling against the unions in Friedrichs won't retard the organizing we see in Detroit, by teachers who staged a "sick out" that closed the system — without their union's help. A loss in Friedrichs won't halt the momentum of Organize2020, the social justice reformers in the North Carolina teachers union, who don't have collective bargaining, let alone agency fee. Their organizing occurs side by side with civil rights activists. The fight to raise the wages of low paid workers is as much a concern for these teacher union reformers as is teachers' salaries.

Teachers unions that organize by building member "ownership" of the union will be hurt by loss of agency fee, but they won't be crushed. It's not Friedrichs that's the biggest threat to teachers unions but rather the continuing belief that union officers and staff can do things for the members the members can't win by mobilizing. To restore union strength unions don't have to rely on "fair share" from people who don't want to join the union. We have to create unions teachers want to join, unions that will fight hard on economic concerns while showing parents and students how unions can use organizational strength and political power to defend good schools for all kids.

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