

## Chapter 1 : Collective Bargaining - Education

*It is unfathomable that, in light of recent efforts to close the student achievement gap, the body of research examining the impact of collective bargaining by teachers on public education is so scant.*

Seattle teachers and administrators reached an agreement in one week, but the question of how unions affect public education is far from settled. Today, more than 60 percent of teachers in the United States work under a union contract. Recently, though, states such as Wisconsin, Indiana, Michigan, and Tennessee have sought to weaken the ability of teachers unions to negotiate contracts in K-12 education. Those in favor of teacher collective bargaining, on the other hand, argue that unions make the education system more effective by empowering teachers who are in the classroom and by giving them a role in shaping their working conditions. Due to data limitations, however, empirical research has not credibly addressed the critical question of how teacher collective bargaining influences student outcomes. We do so by first examining how the outcomes of students educated in a given state changed after the state enacted a duty-to-bargain law, and then comparing those changes to what happened over the same time period in states that did not change their collective-bargaining policies. We find no clear effects of collective-bargaining laws on how much schooling students ultimately complete. But our results show that laws requiring school districts to engage in collective bargaining with teachers unions lead students to be less successful in the labor market in adulthood. And those with jobs tend to work in lower-skilled occupations. Striking teachers from the Seattle School District walk a picket line on September 10, Teacher Collective Bargaining in the United States In the first half of the 20th century, teachers unions in the United States were predominantly professional organizations that had little say in contract negotiations between teachers and school districts. Starting with Wisconsin in 1911, however, states began passing union-friendly legislation that either gave teachers the right to collectively bargain or explicitly mandated that districts negotiate with unions in good faith. Duty-to-bargain laws in particular give unions considerable power in the collective-bargaining process, because they make it illegal for a district to refuse to bargain with a union, and because most of them require state arbitration if the two sides reach an impasse. The enactment of such laws led to a sharp rise in the number of teachers who joined unions and in the prevalence of collectively bargained contracts. Between 1911 and 1990, 33 states passed duty-to-bargain laws see Figure 1 ; just 1 New Mexico has done so since. Of the 16 states without such a law, 9 have legislation that permits teachers unions and districts to bargain if both sides agree to do so. In the remaining 7 states Arizona, Georgia, Mississippi, North Carolina, South Carolina, Texas, and Virginia , collective bargaining is prohibited either by statute or by court ruling see Figure 2. Collective-bargaining laws strengthen teachers unions and give them greater influence over how school districts allocate their resources. A typical collective-bargaining agreement addresses a remarkably broad range of items: By increasing union membership, collective-bargaining laws also heighten the influence of teachers unions in education politics at the state level. Starting in 1911, states began passing union-friendly legislation that led to a sharp rise in the prevalence of OR collectively bargained contracts. Critics of teacher unionization argue that collective bargaining in public education has reduced school quality by shifting resources toward teachers and away from other educational inputs and by making it more difficult to fire low-performing teachers. Other arguments, however, suggest that stronger unions may benefit students. First, to the extent that teachers have expertise in creating effective learning environments, giving them more say over how resources are allocated could lead to better educational outcomes. Second, giving teachers a greater voice in the structure of their working environments could lead them to become more productive and could attract more effective teachers into the profession. Finally, teachers unions could use their political muscle to support additional investment in public education and other policies that might enhance school quality. This disparity of opinion highlights the importance of turning to empirical evidence. Our Study The central challenge in studying the effects of collective-bargaining policies is that states with strong protections for collective bargaining tend to be very different from states with weaker protections. For example, the states without duty-to-bargain laws are located mainly in the South, where student achievement has historically been low for reasons unrelated to collective bargaining. States such as Massachusetts and

Minnesota demonstrate that it is possible to have a relatively high-performing school system in the presence of strong unions, but they tell us very little about the effects of collective bargaining itself. Our study overcomes this hurdle by examining how the outcomes of students educated in specific states changed over the years when most states enacted collective-bargaining laws. We focus on duty-to-bargain DTB laws specifically because these laws led to greater growth in unionization and collective bargaining than did other forms of state union laws. And we focus on entire states rather than on specific school districts, because the passage of a duty-to-bargain law might have consequences even for students in districts that did not unionize. We do not directly compare students educated in duty-to-bargain states with students in non-DTB states, because such comparisons would clearly yield outcome differences unrelated to collective bargaining for instance, differences caused by higher or lower poverty rates. Our strategy, therefore, is to compare the differences in outcomes for students educated in the same state before and after the DTB law passed to the differences in outcomes for students in non-DTB states over the same time period. We also take into account two policy changes enacted by many states during this same time period that may have affected student outcomes: If the rollout of those policies coincided with the passage of duty-to-bargain laws, unadjusted before-and-after comparisons could yield misleading results. Adjusting for these two variables turns out to make little difference in our results but strengthens our confidence that collective bargaining is responsible for the effects we document. A value of 1 means that a DTB law had been enacted by the time students in the birth cohort were six years old in time for first grade ; thus, they were exposed to the law throughout their entire K-12 education. The variable is 0 for students whose birth cohorts had no exposure, either because they were over 18 when a DTB law was passed or because they were born in a state that did not impose a duty to bargain.

Data The data for our analysis come from two main sources. The first is the National Bureau of Economic Research collective-bargaining law dataset that contains, for each state and year since , collective-bargaining laws for each type of public-sector worker. We combine the collective-bargaining information for teachers with the American Community Survey ACS data containing detailed information on the educational attainment and labor market success of representative samples of adults in each state. We look specifically at ACS data for individuals between the ages of 35 and 49, because people in this age group typically have completed their education and are at a juncture when yearly earnings are indicative of lifetime earnings. We examine birth cohorts ranging from to , which correspond to students who attended school from to As shown in Figure 1, these schooling years correspond with the dramatic rise in duty-to-bargain laws in the United States. Taken as a whole, our results clearly indicate that laws supporting collective bargaining for teachers have adverse long-term consequences for students. This represents a decline in earnings of 1. Although the individual effect is modest, it translates into a large overall loss of earnings for the nation as a whole. This is a 1. The reduced earnings caused by unionization could also reflect lower wages, and the evidence suggests a negative relationship between collective-bargaining exposure and wages. While this relationship is not statistically significant, it is consistent with our other results and suggests that teacher collective bargaining may also have a modest adverse effect on average wages. The fact that teacher collective bargaining reduces working hours suggests that duty-to-bargain laws may also affect employment levels. In fact, when we use the share of individuals who are employed as the outcome variable, we find that duty-to-bargain laws reduce employment. Specifically, exposure to a duty-to-bargain law for all 12 years of schooling lowers the likelihood that a worker is employed by 0. Duty-to-bargain laws have no impact on unemployment rates, however, suggesting that they reduce employment by leading some individuals to drop out of the labor force altogether. The results suggest yet another negative effect: This effect is modest in size, but it implies that teacher collective bargaining leads students to work in occupations requiring lower levels of skill. The reduced earnings and labor force participation associated with teacher collective bargaining raise the possibility that affected students may have completed less education. Our analysis, however, finds little evidence of bargaining power having a significant effect on how much schooling students completed. This finding is surprising in light of the substantial labor-market effects we document, but it comports with prior research that has found no effect of duty-to-bargain law passage on high-school dropout rates. Additionally, educational attainment is but one measure of the amount of human capital students accumulate. Even if students do not

complete fewer years of education, they may be acquiring fewer skills while they are in school. Policy Implications In under Governor Rick Snyder, Michigan passed a law that sought to limit union negotiating power. This study provides the first comprehensive analysis of the effect of teacher collective bargaining on the long-term educational and labor market outcomes of affected children. We find that exposure to a duty-to-bargain law while in grade school lowers earnings and leads to fewer hours worked, reductions in employment, and decreases in labor force participation. Occupational skill level also declines. However, educational attainment is unchanged by exposure to these laws. These results contribute new information to the contentious debate occurring in many states over limiting the collective-bargaining rights of teachers. Not surprisingly, teachers unions and their allies responded to these laws with fierce opposition. At the core of this debate lies the question of how teacher collective bargaining affects student outcomes. Our results suggest that lawmakers in Wisconsin and Michigan have evidence on their side. Some of the adverse effects of teacher collective bargaining we document could be driven by how teachers unions interacted with aspects of the school system that are no longer relevant. Future research should investigate whether and how the effects of teacher collective bargaining have changed over time. Moreover, our results say little about why the enactment of collective-bargaining laws has harmed student outcomes. Perhaps collective bargaining has made it more difficult for school districts to dismiss ineffective teachers or to allocate teachers among schools. Or perhaps the political influence of teachers unions at the state level has interfered with efforts to improve school quality. Identifying the factors at play could shed light on the most promising strategies for reform. In the meantime, however, our evidence points to the conclusion that collective bargaining in public education has been a bad deal for American students. Lovenheim is associate professor of policy analysis and management at Cornell University and a faculty research fellow at the National Bureau of Economic Research.

## Chapter 2 : Collective Bargaining

*The "Collective Bargaining - Education" group's experience and services include the following: Assists in grievance proceedings and represents Boards in labor arbitrations. Negotiates labor contracts with certified and classified bargaining units.*

Judicial Activism Collective Bargaining Collective bargaining is the negotiation process that takes place between an employer and a group of employees when certain issues arise. The employees rely on a union member to represent them during the bargaining process, and the negotiations often relate to regulating such issues as working conditions, employee safety, training, wages, and layoffs. To explore this concept, consider the following collective bargaining definition. Noun Negotiation of issues or conditions of employment by an organized body of employees and the employer. The Act set the standards for U. The Act requires officials elected to head a union to meet with the employer to negotiate conditions. Specific rules in support of collective bargaining include: For example, independent contractors and government workers are excluded from the NLRA. However, the Act does stipulate that these workers cannot be prevented from joining labor unions if they wish to do so. Under the Act, employers are obligated to follow certain laws, and are prohibited from certain actions, including: This federal agency is charged with managing legal disputes between employees and an employer. The agency is also responsible for taking action against employers in violation of the NLRA. Good Faith Bargaining Both employees and employers are required to partake in good faith bargaining. While this term may involve many issues, it typically includes 1 refusal of either party to meet and attempt to bargain with the other party, 2 engaging in sham or misleading negotiations, and 3 making changes to the terms of an existing CBA without consulting the other party. The NLRB helps ensure all employers and employee representatives adhere to these conditions as, when principles of good faith bargaining are not adhered to, the negotiation process between employer and employees may be more difficult. Mandatory Bargaining Issues Employers do not have to engage in good faith bargaining over every issue that arises as some may be considered trivial and are not covered under the labor laws. There are some issues, however, that are considered mandatory bargaining issues for which employers must participate in collective bargaining, including wages, layoff procedures, and hours. When an employee group desires changes to be made in an issue subject to collective bargaining, it must give advanced notice to the employer. If the employer refuses to meet in collective bargaining over the issue, it may be charged with unfair labor practices, and the NLRB may step in. This often results in an investigation by the NLRB, and potentially in a labor strike. Collective Bargaining Process The collective bargaining process involves five core steps: Preparation â€” Choosing a negotiation team and representatives of both the union and employer. Both parties should be skilled in negotiation and labor laws, and both examine available information to determine whether they have a strong standing for negotiation. Discussion â€” Both parties meet to set ground rules for the collective bargaining negotiation process. Proposal â€” Both representatives make opening statements, outlining options and possible solutions to the issue at hand. Bargaining â€” Following proposals, the parties discuss potential compromises, bargaining to create an agreement that is acceptable to both parties. Final Agreement â€” Once an agreement is made between the parties, it must be put in writing, signed by the parties, and put into effect. Continuous Bargaining Continuous bargaining is a method of collective bargaining in which ongoing negotiations between the employer and the union representative take place. This may occur when the employer and union representative have a good working relationship that enables them to continually make small changes to ensure positive employment policies. Concession Bargaining Concession bargaining is a method of collective bargaining that sometimes takes place when the employer is in distress. In this situation, the union may give the employer back a previous agreement in exchange for job security for the largest number of employees. For example, a union may give up paid time off in exchange for protection for layoffs. Benefits of Collective Bargaining According to studies, employees covered by collective bargaining often have better working conditions, higher wages, and better benefit packages than employees who are not members of a labor union. For example, union workers are more than 18 percent more likely to have

affordable health insurance, and 22 percent more likely to have pension coverage. Wage advantages offered by collective bargaining mostly benefit earners of middle and lower wages, reducing wage gaps. Membership in labor unions and collective bargaining also benefits employees by decreasing the wage gap that exists between male and female employees. Collective Bargaining in Education Collective bargaining in education consists of a process in which faculty and the board of trustees at a school interact and negotiate terms of employment. The collective bargaining process in education, similar to other forms of collective bargaining, results in legally binding agreements that cannot be changed by only one side. If changes are needed, both parties must participate in negotiations to reach a new agreement. Some reasons educational employees are encouraged to engage in the collective bargaining process include: It creates a feeling of shared control over employment issues and the decision making process. Clearly defined employment policies reduce uncertainty. A fair and effective grievance procedure increases faculty confidence that problem issues will be handled in a fair and timely manner. A negotiated agreement that addresses faculty concerns provides a sense of security. The policy of collective bargaining puts pressure on both sides to act in good faith in regard to employment practices. Employer Duty to Supply Information While the employer has an obligation to supply pertinent information to the union during the collective bargaining process, only certain information is required to be supplied. Union Duty of Fair Representation When an employee is a member of a union, the union has a duty to provide fair representation to the employee. If an employee feels that the union has breached its duty of fair representation, he may follow certain procedures to file a grievance. If there are no grievance procedures available, the employee may hire an attorney to help ensure his rights are protected. Because employment law can be complex, an attorney experienced with employment issues is best suited in this situation. The board investigates the claims over which a deal was not reached, and looks at information from both sides in determining whether future proceedings are necessary. The NLRB may make a decision siding with either party, as long as fair labor laws are not violated. Paying for Representation In many states, employee union members are required to pay for a portion of the cost of representation during the collective bargaining process. In some jurisdictions, the dues may not be used for representation during collective bargaining, while in other jurisdictions the dues are specifically for such representation. International Collective Bargaining Collective bargaining is an international human right recognized in Article 23 of the Universal Declaration of Human Rights. The right to international collective bargaining is promoted through international labor standards, and though not all countries recognize the National Labor Relations Act or National Labor Relations Board, many countries have their own associations or agencies that oversee labor rights. Related Legal Terms and Issues Coercing "persuading or forcing a person to do something through the use of manipulation or threats. Dues "the cost of membership when a person joins a union or club. Dues may be required weekly, or annually. Grievance "a formal complaint filed by an employee or agent. Some employers or agencies have specific procedures that must be followed. Independent Contractor "a person who agrees to do work for someone else using his own methods. Layoff "a permanent or temporary discharge of employees. Strike "the act of employees organizing and protesting employment practices in an attempt to induce changes. Union "an organized group of employees that is formed to protect workers from unfair labor practices.

### Chapter 3 : Betsy DeVos Is Now Fighting the Union at the Education Department

*Consider speaking with an education or labor attorney if you have additional questions about teachers' unions and collective bargaining. Next Steps Contact a qualified education attorney to help you navigate education rights and laws.*

Bargaining took place all day September 14, Bargaining took place last night until just after midnight and resumed this afternoon. School is cancelled Monday Bargaining continued through the weekend. Both teams are meeting today starting at School is cancelled Tuesday September 7, Bargaining continued today and continued into the evening. Progress continues and bargaining will continue this weekend. September 6, Bargaining continued today, starting at 2: While progress continues, tentative agreement was not reached. School is cancelled Friday See the update sent to families. September 5, Bargaining continued on Wednesday, from noon to School is cancelled September 3, Mediation took place today from 1 - 7: While some progress is being made, no agreement has been reached. The district team reiterated their willingness to meet anytime and any day - for as long as it takes - to work toward an agreement. The next mediation session will take place on September 5th beginning at noon. Any specific information posted on our Collective Bargaining Updates page regarding proposals that the District has offered were from proposals made prior to the first mediation session held on August 30th. September 1, Yesterday at 7: TEA also shared with local media that they plan to picket our schools beginning Tuesday morning. Collective bargaining with a state-assigned mediator continued this past Thursday and Friday, and mediation is scheduled again for Monday afternoon. Because our athletic coaches are not represented by TEA, athletics and activities will continue as scheduled, outside the normally scheduled school day. Parents and students with any questions regarding their particular sport or activity should continue communicating directly with their coaches. A copy of the signed request can be viewed here. The state-assigned mediator has confirmed her attendance at the upcoming meetings: August 30, 31 and September 3. The district team has been bargaining in good faith with TEA since May. At the first bargaining session, both sides exchanged comprehensive proposals. At this session, the district offered the week of July 16th for additional bargaining. These dates were declined by TEA. These dates were also declined. Both parties request mediation. Mediation dates set for: August 30th, 31st and September 3rd.

## Chapter 4 : Collective Bargaining in Education

*Note: Language in the Collective Bargaining Agreements takes precedence over Personnel Commission Rules and the Personnel Policies of the Humboldt County Office of Education. Absent specific language in the applicable Collective Bargaining Agreement, Personnel Commission Rules or Personnel Policy shall be effective.*

History[ edit ] Beatrice Webb in The term "collective bargaining" was first used in by Beatrice Webb , a founder of the field of industrial relations in Britain. In the United States, the National Labor Relations Act of 1935 made it illegal for any employer to deny union rights to an employee. The issue of unionizing government employees in a public-sector trade union was much more controversial until the s. In President John F. Kennedy issued an executive order granting federal employees the right to unionize. An issue of jurisdiction surfaced in *National Labor Relations Board v. Catholic Bishop of Chicago* when the Supreme Court held that the National Labor Relations Board NLRB could not assert jurisdiction over a church-operated school because such jurisdiction would violate the First Amendment establishment of freedom of religion and the separation of church of state. Article 23 of the Universal Declaration of Human Rights identifies the ability to organize trade unions as a fundamental human right. In the case of *Facilities Subsector Bargaining Association v. British Columbia*, the Court made the following observations: The right to bargain collectively with an employer enhances the human dignity, liberty and autonomy of workers by giving them the opportunity to influence the establishment of workplace rules and thereby gain some control over a major aspect of their lives, namely their work. Collective bargaining is not simply an instrument for pursuing external ends rather [it] is intrinsically valuable as an experience in self-government. Collective bargaining permits workers to achieve a form of workplace democracy and to ensure the rule of law in the workplace. Workers gain a voice to influence the establishment of rules that control a major aspect of their lives. Such a markup is typically 5 to 10 percent in industrial countries. This act makes it illegal for employers to discriminate, spy on, harass, or terminate the employment of workers because of their union membership or to retaliate against them for engaging in organizing campaigns or other "concerted activities," to form company unions , or to refuse to engage in collective bargaining with the union that represents their employees. It is also illegal to require any employee to join a union as a condition of employment. At a workplace where a majority of workers have voted for union representation, a committee of employees and union representatives negotiate a contract with the management regarding wages, hours, benefits, and other terms and conditions of employment, such as protection from termination of employment without just cause. Individual negotiation is prohibited. If approved, the contract is usually in force for a fixed term of years, and when that term is up, it is then renegotiated between employees and management. Sometimes there are disputes over the union contract; this particularly occurs in cases of workers fired without just cause in a union workplace. These then go to arbitration , which is similar to an informal court hearing; a neutral arbitrator then rules whether the termination or other contract breach is extant, and if it is, orders that it be corrected. Instead, in states where union security clauses are permitted, such dissenters may elect to pay only the proportion of dues which go directly toward representation of workers. The organisation for Economic Co-operation and Development, with its 36 members, has become an outspoken proponent for collective bargaining as a way to ensure that the falling unemployment also leads to higher wages.

## Chapter 5 : Collective bargaining - Wikipedia

*Collective bargaining is your opportunity to have an equal voice in wages, hours and working conditions - offering the chance to make significant improvements to your classroom and work environment. Educators and education support professionals (ESPs) have a vital voice that must be heard in shaping our schools and colleges.*

## Chapter 6 : Board of Education / Collective Bargaining Unit Agreements

*Links to collective bargaining agreements negotiated by public institutions of higher education are posted here when we receive them. If the university or college name is not linked, we have not received information about their negotiated agreements.*

### Chapter 7 : Collective Bargaining - Definition, Meaning, Process, Examples, and Types

*In states with collective bargaining laws, school districts are obligated to bargain with teachers' unions on wages, hours, and working conditions. The approved contract is binding.*

### Chapter 8 : Collective Bargaining / TEA Update

*Collective bargaining statutes also require both parties to negotiate in good faith to reach a collective agreement, encouraging open dialogue and demanding all voices be heard. Finally, when an agreement is reached, the law requires the parties to accept the results.*

### Chapter 9 : Access to NEA Databases

*The New Generation of Educators in Nebraska (NGEN) exists to drive early career educators towards success by fostering membership engagement, advancing teaching excellence through professional development, and creating a network of support through mentorship opportunities and classroom resources.*