

# SUPPORT COLLECTIVE BARGAINING RIGHTS FOR EDUCATORS

We are asking for your IMMEDIATE assistance to advance legislation that has the potential to profoundly impact the landscape for public education professionals across our state. Ask your legislator to restore our ability to bargain over the following:

- the right to maintain **increases in steps and insurance caps** when contract negotiations take longer than planned, and the right to **retroactive pay** when fair settlements are reached. **HB4044**
- the right to **apply for and keep a specific teaching job**, not be transferred at the whim of administration, by restoring teacher placement as a subject of bargaining. **HB4354**
- the right to **due process in discipline** and the ability to take disciplinary matters to an unbiased third party in arbitration, by restoring teacher discipline as a subject of bargaining. **HB4354**
- the right to a **fair and equitable system for reductions** in the workforce by restoring layoff and recall as a subject of bargaining. **HB4354**
- the right to a **voice in teacher evaluations** by restoring teacher evaluation as a subject of bargaining. **HB4354**
- the right to **keep support staff positions local** by restoring the outsourcing of non-instructional services as a subject of bargaining. **HB4356**
- the right to **pay union dues via payroll deduction** for all school employees. **HB4233**

Right now, Michigan educators have the chance to restore collective bargaining rights that were unfairly and unilaterally taken from us by enemies of public education.

Please contact your Legislators IMMEDIATELY and ask them to pass HB 4044, 4354, 4356 and 4233. Restoring collective bargaining rights is the only hope to address the education employee shortage in Michigan. This is the tool we need to recruit and retain teachers and support staff for our profession.

To contact your legislators, visit

<https://secure.ngpvan.com/ZgU6IUwDzUuCxdNutdh2Ww2>.





## Background on Bills Restoring School Employee Bargaining Rights

For more than forty years collective bargaining set the rules for teacher discipline, teacher placement, teacher layoff and recall, and teacher evaluation. We were able to bargain over contracting or privatizing non-instructional services, allowing us a fair fight to keep support staff positions in-district, bargain over wages with benefits, and ensure support staff members access to a secure retirement system. School districts were able to collect union dues via payroll deduction, which many of our members appreciated and found easier to manage. In those years Michigan was renowned for its top education system and high-ranking school employee salaries.

In 2011, enemies of public education inspired by the actions in Wisconsin, passed legislation that unfairly and unilaterally stripped all education employees of these bargaining rights. We now have an opportunity to right these wrongs and restore the power of a good bargain to school employees!

**HB 4044** would repeal Public Act 54 of 2011, which currently prohibits any step increases and insurance cap adjustments when a contract expires. PA 54 also makes any type of retroactive pay illegal. PA 54 has given school districts an unfair advantage at the bargaining table and employers have weaponized this legislation to deny step increases and increase the cost of insurance as a tactic to force bargaining teams to accept substandard negotiations. For more than 10 years school districts have reaped the financial rewards of stalling tactics and low-ball offers, without any obligation for retroactive pay after a settlement is reached. We must even the playing field to protect the profession. HB 4044 creates an environment that is conducive to getting both sides to the bargaining table to engage in fair negotiations.

**HB 4354** restores many subjects of bargaining prohibited by PAs 103 and 260 of 2011, including performance evaluation standards; merit pay standards; decisions on layoff, recall, hiring and position eliminations; classroom observation; teacher placement; evaluation; discipline; and discharge. HB 4354 would restore educator voice in the teacher evaluation process, it would secure a right to bargain over placement in specific teaching jobs and allow for the bargaining of a fair and equitable system for reductions in work force. Perhaps most important, HB 4354 would restore an ability to secure due process rights. Due process rights ensure everyone receives a fair hearing when accused of wrongdoing. This is not the same as protecting bad employees, for which unions are often criticized. HB 4354 ensures a fair process regarding discipline including the right to arbitrate disciplinary matters. Arbitration allows an unbiased third party to decide what is fair and just and ensures a system that protects all employees.

**HB 4356** amends the Public Employee Relations Act (PERA) by repealing a provision that prohibits bargaining over contracting out or privatizing non-instructional services. HB 4356 restores our ability to bargain job security for education support staff professionals. This includes the people who clean, maintain, and secure our school buildings; the secretaries who ensure our schools run smoothly; the bus drivers who safely transport our students; the food service workers who prepare nutritious foods; and the paraprofessionals who support our most vulnerable students. HB 4356 will allow us to protect these jobs, to ensure they are filled by community members, to advocate for these positions at the bargaining table, and to provide these employees access to a secure retirement plan.

**HB 4233** would repeal PA 53 of 2012, which prohibits school districts from collecting union dues via payroll deduction. This is allowed for all other public and private sector employees. Educator unions were specifically targeted with the passage of PA 53 — only school employees are prohibited from collecting dues via payroll deduction. Most legislators don't know this, most think the collection of dues was prohibited for everyone, but it wasn't. PA 53 was a deliberate attack on educators and their unions. It costs districts nothing to collect union dues via payroll deduction. It is no different than setting up a 401k automatic deposit or establishing a deposit into a Christmas club account. There is no reason the collection of union dues should ever been prohibited.

All these labor bills, to restore collective bargaining rights for educators and restore our voice in the workplace, have been introduced but the Legislature has yet to act on them. It is time to return union dues deduction, protect school support staff from the threat of privatization, restore fair practices in the workplace, and remove penalties against workers who are forced to work without a contract.

Right now, we have an opportunity to make a BIG change. To recruit and retain teachers and support staff to the education profession, we need to stand united in our determination to pass HB 4044, 4354, 4356, and 4233.