



# Update

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## Friedrichs vs. California Teachers Association - Unions Under Attack

Public education has been under attack for many years. Across the country we've witnessed the growing trend of charter schools, and we've watched state after state fall to anti-union right-to-work laws. As you may be aware, the U.S. Supreme Court recently agreed to hear the Friedrichs vs. California Teachers Association case. Make no mistake. The same billionaires and hedge-funders who are attacking public schools across the country are behind this lawsuit, attacking our labor rights and our right to effectively organize. We expect a decision sometime before June 2016, and the result would likely take effect immediately. It is important to remember that this is only one part of the nationally coordinated anti-union strategy aimed at limiting the voice of workers and undercutting the ability of unions to represent the interests of their members and working families across the country.

**What is the Friedrichs case and what do we potentially stand to lose?** A very good question, indeed! In a case now before the Supreme Court, *Friedrichs v. California Teachers Association*, some individuals have gone to court insisting they should be able to be "free riders." They are insisting they should be entitled to the benefits of a unionized work place without contributing their fair share for the union representation that benefits them. The plaintiffs want all the benefits and contract protections the union negotiates and provides for, without paying their "fair share" for those services, either as a union member through union dues, or as a "fee payer" through a charge for representation called "agency fee."

For decades, unions have been allowed to collect dues from all private or public employees they represent. In New York State, the law has supported the principle of "fair share," ruling that since unions are obligated to represent all employees in a unionized workplace, then the workers who benefit should share fairly in the costs of that representation. Those who object to the union's political or lobbying activities don't have to contribute but, they must pay for the unions' efforts in representation and negotiation of contracts. Agency fee payers contribute only toward the services that benefit them, and are refunded the portion of union dues which goes toward political activity they don't support. In other words, all members must contribute their fair share.

The extremists who are funneling money into charter schools, anti-union legislation and lawsuits such as Friedrichs are banking on the majority of unionized workers opting out if the ruling in the Friedrichs case is an adverse decision. A union without full dues paying membership quickly decomposes and the contracts and benefits protected under union leadership quickly crumble away without their defenses. Union representatives would be in the unfair position of still representing non-union workers, negotiating on their behalf and improving their working conditions without the law's safety net requiring that all who benefit share in the costs. Dues-paying members would have the financial responsibility of paying for the equal representation provided to non-dues paying members.

The caustic result? Unions would be divided. And unions across the country would disband. History books would record this as a win for the billionaires supporting this initiative, and a loss for working families across America.

Before coming into public education, many of our current members worked in private schools, charter schools or private industry. They know firsthand the difficulty of signing yearly contracts and the capriciousness of management.



As you page through your newly printed contracts, consider what would be lost without the SFT negotiating for each of us. None of the following items are provided by federal or state laws. They were won in battles at the negotiation table – some decades ago, some recently – and will be defended in future negotiations, provided of course, that we continue to have a strong Union.

Just a few of the provisions negotiated by the SFT at some point in our history:

Salary Scales, Optical Insurance, Dental Insurance, Sick Leave Conversion, Health Insurance Contribution Limits and Declination Payments, Retiree Health Benefits, Paid Coverages, Death Benefit, Length of Day, Number of Teaching Periods, Pay for an Extra Class, Pay for Coaching & Advisorships, Class Sizes, Prep Limits, Language Limiting Consecutive Working Assignment, Number of Classes, Limits On After School Meetings, Observation Language, Grievance Procedures, Sick Bank Language, Personal Days, Sick Days, Days for Death of Family Member, and Retirement Incentives.

Without your union to negotiate for its members, none of these gains would likely be part of your current employment agreement.

Labor unions nationwide have been fighting the “good fight” for decades as well, resulting in federal and state laws, mandates and other provisions such as FMLA, Workman’s Compensation, OSHA, PERB, Minimum Wage, Equal Pay for Equal Work, Overtime, Pension Benefits, Domestic Partner Benefits, Social Security, Medicare and Disability Insurance.

I am fully aware that at some point every active member questions the leadership of his or her Union. Many of you have questioned the current leadership of the SFT – some publicly, some privately. Even I, in my role as your president, have questioned the leadership of NYSUT, the AFT and NEA from time to time. I’ve raised questions both publically and privately to our state and national leaders. My understanding of the value of unionism and union membership, however, has never wavered. I know without a doubt, our working conditions and wages would be significantly reduced and impaired without the Union’s presence, input and influence.

The hedge-fund billionaires are confident that the average American union worker doesn’t see the benefit in union membership. I, on the other hand, am confident that we of the SFT are not only more than average, but we are also smart enough to understand the importance of remaining unified.

On behalf of your entire SFT Executive Board, I wish you all a peaceful and relaxing holiday break with family and friends.

In Unity,

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