

## **Bargaining for everyone**

**What's the best way to negotiate salaries? MSTA believes everyone should have a seat at the table. Others say that only an exclusive representative will work. Let's examine the evidence.**

From the summer 2008 issue of *School & Community* magazine

*By Sandy Watts*

Last May a sea change occurred in Missouri education when, after more than three decades of impassioned debate, the Missouri Supreme Court ruled that all public employees, including teachers, had a constitutional right to bargain collectively with their employers. Justices left it to legislators to sort out exactly how teachers would exercise this right.

"Keep an eye on Missouri because it ain't going to be pretty," wrote Mike Antonucci, whose "Intercepts" blog monitors issues regarding teacher unions. "I suspect the first provision negotiated by any organization under these new collective bargaining rights will be exclusivity."

Antonucci's prediction turned out to be only half right. As expected, the Missouri National Education Association has lobbied hard for a bill requiring school districts to name an exclusive bargaining agent for teachers. But MSTA is following a different path by backing legislation that reflects the association's bedrock belief in freedom of choice. MSTA-backed legislation calls for teachers to be represented by a council made up of members from all teacher groups.

It's an idea that has already proved successful in a variety of districts across the state.

### **Brentwood**

MSTA's big-tent philosophy has a long and successful track record in some of the best-paying school districts in the state. In suburban St. Louis, Brentwood's non-traditional bargaining process begins in November and ends in March with a formal memorandum of agreement.

"Proportional representation has worked very well in our school district," says Wendy Ludwig, president of the Brentwood MSTA/CTA. "Interest statements from all stakeholders are referred to committees, which include members of both MSTA and MNEA, board members and administrators."

Any impasse is referred to an action committee, which has the final say.

"It's a long and complicated process, but also highly productive and so collegial that I would hate to see it change," says Mike Imergoot, chairman of Brentwood's physical education department. "Our negotiations have never been acrimonious — we've always been able to resolve our differences. It's a system based on trust."

Imergoot, a former MNEA president who has been teaching since 1973, joined MSTA two years ago in large part because he was uncomfortable with MNEA's confrontational "us-versus-them" mindset.

“I’m firmly convinced that MSTA’s approach results in a better working relationship with administrators,” he says. “I also like it that our MSTA dues stay here in Missouri instead of going to a national organization.”

### **Northwest R-1**

Arriving at school one Monday morning in March, teachers at Northwest R-1 High south of St. Louis were surprised by a disruption in their normally peaceful workplace.

“It looks as though we’ve been targeted,” said MSTA/CTA President Linda Dougherty. Four National Education Association staff members were in the building, pressuring teachers to sign a form calling for MNEA to be named the exclusive bargaining agent for teachers.

Throughout the morning, snippets of news and rumor reached Dougherty at her post in the school library. The NEA reps were camped at the copy machine, said one teacher. A teacher who wouldn’t sign had been pursued into her classroom, reported another.

“Older teachers understand what’s going on — they’ve been down this road before,” Dougherty says. “My worry is that new teachers won’t know what they’re signing.”

For Dougherty and many of her colleagues, the whole business was a sad signal that 10 years of workplace harmony might be drawing to a close.

The NEA staffers were seeking a return to a time when the district held an annual election to decide whether MSTA or MNEA would serve as the bargaining agent for the faculty. Predictably, the policy fueled fierce competition between the two groups. Mistrust and petty bickering were the order of the day, a state of affairs that did not go unnoticed in the community.

In response, the Northwest R-1 board adopted a more even-handed policy that gave any teachers group that represented 25 percent of the total staff a place at the bargaining table.

“It was such a big relief to everyone,” Dougherty says. “And the system has worked really well. We have wonderful open communication between teachers and administrators in our district. But now I’m afraid the confrontational atmosphere is creeping back in.”

### **Fort Osage R-1**

It’s a debate being played out in school districts across the state. In 2007, for example, MNEA petitioned the Fort Osage R-1 board for exclusive bargaining rights, even though 60 percent of all Fort Osage teachers are MSTA members.

“If MNEA had won that election it would have been a strange case of the minority speaking for the majority,” says Floyd Hawkins, a coach at Fort Osage Middle School.

MNEA’s petition forced the Fort Osage MSTA/CTA to make a difficult decision. Should their group also petition for exclusive representation — an election they would surely win? After a long debate, the CTA voted to stick to its all-inclusive philosophy and back the Community Educators Association, an umbrella group that includes both MSTA and MNEA.

“Our combined group has been working well for the 20 years I’ve been here, so we decided to stay the course,” says MSTA salary chair Tina Tims.

“That’s why I belong to MSTA,” Hawkins says. “We believe that we’re all in this thing together. It’s about all of us, not just some of us.”

### **Lee’s Summit**

Nearby, TEAM Lee’s Summit, which includes representatives from the two major teachers organizations and support staff, begins the negotiating process each year with an online survey to gather input from all school-district employees. TEAM members use survey results to map out the work ahead.

“TEAM stands for Together Everyone Achieves More,” says MSTA member Nate Smith, who teaches history and debate. “I like seeing issues from different perspectives. We don’t want any one group to be the exclusive representative — we want everyone to have a voice.”

### **Finding common ground**

“The problem with exclusive representation is right there in the name — it excludes some teachers from the decision-making process,” says MSTA Executive Director Kent King. “Freedom of choice is why MSTA walked away from the National Education Association more than 30 years ago.”

Proponents of exclusive representation would argue that proportional representation is merely peace at a price. They say the lack of exclusive representation dilutes teachers’ negotiating power.

“Piecing a bargaining team together from various groups builds a communications gap into the process and leaves teachers scrambling for a cohesive voice,” says MNEA President Chris Guinther.

But that’s the thing about democracy, isn’t it? Everyone gets to have a say, whether you agree with them or not.

Based on the successful way umbrella groups are functioning in these four school districts, it could very well be time to make room for everyone at the table.