

Legislation could change teacher-board contract talks

By BARBARA UNDERWOOD

Legislation is pending that could affect every public school student in Michigan and some school officials believe the public is not adequately informed about it.

House Bill 5734 was described in a recent issue of Michigan School Board Journal as "a major step toward mandated regional bargaining and loss of local control."

Similarly, House Bill 5734 "would legalize strikes by public school employees," the journal says.

And John Candela, personnel director for the Bloomfield Hills Schools, says, "This legislation has a direct effect on the people and they ought to know about it."

Candela and Joseph Griffin, director of personnel relations for the Birmingham School District, agree that if both bills are approved, the result would be a loss of local control for public schools.

"TO A LARGE extent, it would take away local teacher input," Griffin said. "Each individual school district would not have an autonomous union."

"It could take control away from local boards of education and local teacher bargaining units," Candela said.

The direct effect of the legislation on the public, should it be approved, would be that the school board members elected by public vote would have little authority over spending, Candela said.

House Bill 5734 provides that public employees may waive the right to strike before expiration of a contract agreement. If that happens, the Michigan Employment Relations Commission (MERC) assumes jurisdiction in the dispute and can force binding arbitration on an employer, Candela said.

"That is not possible now," he said. "An employer has to agree to binding arbitration."

"WITH BINDING arbitration, a three-member party of outsiders takes the issues and renders a binding decision," Griffin said.

"People who are paying the freight don't have the final decision on cost," Candela said. "If they are paying the bills, they should have some say."

House Bill 5734 also would give some public employees, including teachers, the legal right to strike without loss of pay, he said.

"With that bill, why wouldn't they go on strike?" Griffin said. "It's a can't-lose situation. If they can make out good in binding arbitration, they can go that way. If they don't take binding arbitration and go on strike, they can stay out for three weeks and still get paid."

In most strikes, employees lose wages but employers can compensate by raising prices, hiring other workers, getting supplies from non-striking sources and other remedies, Candela noted.

"Schools can't do that," he added.

GERALD HAYMOND, co-executive director of the Birmingham Education Association (BEA), believes there is a big difference in interpretation of the two bills by school officials and union groups.

The Michigan Education Association (MEA) reportedly authored House Bill 5734 and supports both bills. Local association units also support them.

"They (school officials) term the bill (5734) a bargaining bill or teachers' bill for the right to strike," Haymond said. "We call it, because we feel that is what it is, an election remedies bill."

"The way the bill is written, assuming it is not amended, it does not automatically give the right to strike, but allows bargaining teams to attempt to reach mutual agreement on a method of resolving an impasse," he added.

The bill "says that the right to strike could be one of those methods; binding arbitration could be one, fact finding could be one and mediation could be one," Haymond said.

THE TERM "regional bargaining" was heard often during teacher contract negotiations last fall and is generally considered to refer to the negotiating of a single contract for a number of school districts.

But Haymond said many people misunderstand the meaning of the term. "Wayne County is attempting to establish regional bargaining. In Oakland County, we are attempting a coordinated bargaining procedure," he said.

In regional bargaining, he said, the people negotiating for the teachers may come from a countywide education association representing teachers in many local districts.

It is a large group rather than local units of teachers who make the decisions, he said.

Coordinated bargaining is "simply an attempt to coordinate bargaining efforts and establish certain goals that

each district attempts to achieve."

AN INDICATION that coordinated bargaining is coming was evident in Oakland County last fall when many contracts were settled with an expiration date in 1979.

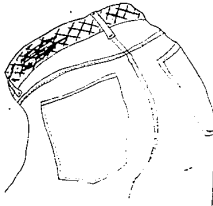
"We have not tried to hide that fact," Haymond said. "It is one of the goals of the Coordinated Bargaining Committee."

Of the 26 MEA units in Oakland County, 19 have settled contracts with a 1979 expiration date. These include Birmingham, Bloomfield Hills, West Bloomfield, Troy and Southfield.

"The idea is, if 10,000 teachers are bargaining at one time, it gives us much more power than if 300 teachers are bargaining at one time," Haymond said.

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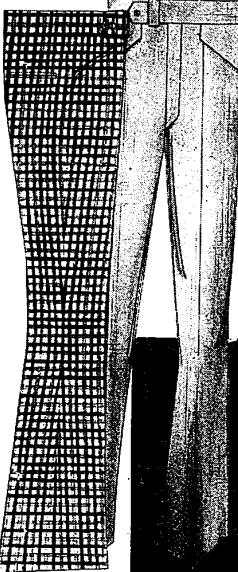
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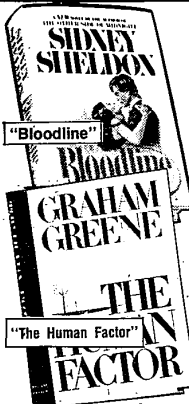
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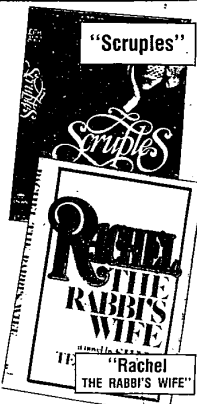
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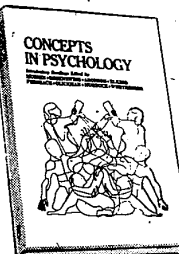
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