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Golden Oldie #4—Teacher Strikes

Next week students in the Peters Township School District are expected to be back in class following a teacher strike that began at the end of October. Under state law, there is a chance that the strike will resume. We have written for many years about how Pennsylvania regularly leads the nation in the number of teacher strikes as well as proposals that have been made to end them. One such attempt came in November 2008, and we wrote about it in this *Brief (Volume 8, Number 72)* called “*Tallying Recent Teacher Strikes Across the Nation*”.

As negotiations to resolve the state budget impasse continue, and, assuming state policymakers would be interested in giving taxpayers an early Christmas present, eliminating teacher strikes would be a truly wonderful gift that would save them a lot of money and aggravation in the future.

We would like to take this opportunity to wish our *Policy Brief* readers a Happy, Joyful and Safe Thanksgiving.

Pennsylvania maintains its long held number one ranking as the state with the most teacher strikes. During the period beginning with school year 2000-2001 and running through school year 2006-2007, Pennsylvania accounted for well over half of all teacher strikes in the country, establishing its reputation as the nation’s teacher strike leader. More recently, over the past couple of school years only three states of the thirteen that allow teacher strikes have seen walkouts; Illinois, Ohio and Pennsylvania. Michigan, which does not permit strikes, suffered an illegal work stoppage in the 2008-2009 school year.

Illinois gave Pennsylvania a run for the number one ranking, with 10 strikes in the past two school years—actually topping Pennsylvania in 2007-2008 briefly. Meanwhile, Ohio experienced three strikes in the 2007-2008 school year and two so far in the 2008-2009 school year. All told, during the past two school years—2007-2008 and 2008-2009 to date (through mid November 2008)—there have been 28 teacher strikes in the country with Pennsylvania accounting for 12, the largest number of any state, or 42 percent of the total.

In the 2007-2008 school year Pennsylvania incurred seven strikes, the smallest number since the 2000-2001 school year. However, while the number of strikes was lower, the length of strikes rose significantly, with the average strike lasting 12.6 days, compared with 9.7 days in the 2006-2007 school year. Moreover, the 2007-2008 strikes were much longer than the average of 10.6 days for strikes in the period since 2000. Thus, while fewer communities were affected by strikes in the last school year, the harmful impacts were dragged out for longer periods.

Thus far in the 2008-2009 school year (mid November 2008), Pennsylvania has already incurred five teacher strikes. A September strike in the Souderton Area lasted 14 days and the recent strike in the South Butler district stretched to 18 days. That walkout ended only because state law requires a 180 day school year be completed by June 15th. No contract settlement was reached. All that happened was a serious interruption of the students' education and aggravation for parents, especially working parents.

Frustration with all the strikes has prompted members of the Pennsylvania legislature to propose House Bill 1369, a bill that would prohibit teacher strikes. Known as the "The Strike Free Education Act", the bill provides stiff penalties for teachers who violate the law. Penalties include a loss of two days pay for each day a strike lasts and a \$5,000 dollar fine levied on teachers who incite a strike.

Proposed legislation prohibiting teacher strikes is also pending in Ohio. However, Ohio's legislation differs from Pennsylvania's in that it requires compulsory binding arbitration—a provision that substantially weakens the positive effects of the no-strike law.

Experience in other states shows that teacher strikes can be prevented when anti-strike provisions are accompanied by strong and enforceable penalties. Such penalties are crucial to deterring strikes. Indeed, strikes are non-existent in states such as Georgia, North Carolina, Maryland, and Mississippi because of enforced penalties. For instance, in Georgia violators lose their jobs and must wait three years for re-employment. Both Maryland and Mississippi penalize the unions as well. Maryland revokes unions' payroll deduction privileges and representation privileges for two years. Mississippi imposes fines on unions of up to \$20,000 dollars per strike day.

The harm Pennsylvania's teacher strikes inflict on students, families, communities, and taxpayers will end only when legislation forbidding strikes and imposing severe penalties on violators is enacted. For the good of the state, it is time for Harrisburg to act on this issue.

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