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Reducing Teacher Strikes in Pennsylvania

Pennsylvania has earned its number one ranking in leading the nation in teacher strikes. But this is not a ranking the state should be patting itself on the back over in light of a major downward trend in strikes nation-wide. Teachers in Pennsylvania continue to disrupt communities and hurt education at an alarming rate. So much so that some politicians have begun to call for laws to end strikes. Senator Mellow has proposed his “last best offer” bill and other legislators are offering strike ban bills.

To be sure, the enormous strength and influence of teacher unions in Pennsylvania makes the passage of a strike ban unlikely. And, even if the General Assembly by some miracle passes a bill outlawing strikes, the Governor will almost certainly veto it. Thus, we are proposing two reforms that, absent a full strike ban, could substantially curb teacher strikes in Pennsylvania.

Bear in mind most states prohibit strikes and several impose severe penalties for violators of strike ban laws. The strictest states make striking a misdemeanor and violators can even be sent to prison in North Carolina and Iowa. In Georgia, Florida, and Tennessee teachers are dismissed and unions face considerable fines. Under the Taylor law in New York teachers are penalized by the loss of two days wages for each day off the job and unions lose their dues check off privilege for a year. In short, Pennsylvania teachers have it pretty cushy compared to most teachers around the country. Indeed, too cushy and something needs to be done.

Here are two recommendations that should curtail the willingness and motivation for teachers to hit the picket line.

- 1) Impose a penalty that takes away two days pay and benefits for each day teachers miss regularly scheduled school time. No other law change regarding strikes would be required.

A two day loss of wages per strike day creates a real penalty for strikers who under the current system will receive their full annual salary regardless of a strike since the law requires that the 180 day school year be completed by June 30. This change would exact an economic sacrifice from strikers, the same as any other worker out on strike would face. This reform would seriously alter the bargaining balance away from the heavy way it now favors the teachers and penalizes school boards and taxpayers. New York employs this penalty and the numbers of strikes there are very low—almost non-existent most years. The same would most likely happen in Pennsylvania.

2) Mandate a school year consisting of 198 weekdays ending by May 31st.

To accomplish this, an appropriate start date in late August would be selected each year. This law would create a school calendar providing adequate holiday time for Labor Day, Thanksgiving (2 days), Christmas/ New Year's (7 days) , Easter/ Spring break (2 days), as well as Election Day, and 5 snow days. Such a calendar would discourage strikes because the state mandated 180 days of instruction requirement would have to be met by May 31. Teachers contemplating a strike would most likely have to act in the fall and certainly before the Christmas/New Years holidays were used. A significant strike after Easter/Spring break would be nearly impossible unless no snow days had been called during the year.

The primary benefit of this change would be to put a stop to end of year strikes that create such inconvenience and disruption for students who are graduating and those needing to get summer jobs underway. Not to mention the disappointment of family members who, because of postponement, can not reschedule to attend graduation ceremonies or must bear large travel costs to make the adjustment. These end-of-year strikes are done maliciously to inflict the greatest aggravation possible and must be the focus of strike- reducing reforms.

Teacher strikes demonstrate the unseemly and unjustified union control of Pennsylvania's education system. The purpose of teacher strikes is to disrupt community life and manipulate parents and taxpayers into pressuring school boards to come to agreements highly favorable to teachers. School boards need to have adequate freedom to direct district finances to serve students and protect taxpayers. The Institute's proposed changes, if enacted, could help produce an enormous drop in the number of strikes in Pennsylvania and hold down taxes in the long run.

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