

Wright State University

CORE Scholar

The Right Flier Newsletter

American Association of University Professors

2-1-2011

Right Flier: Newsletter of the AAUP-WSU Volume 11, Number 3, February 2011

American Association of University Professors-Wright State University

Follow this and additional works at: <https://corescholar.libraries.wright.edu/rightflier>

Repository Citation

(2011). Right Flier: Newsletter of the AAUP-WSU Volume 11, Number 3, February 2011. , 11 (3).
<https://corescholar.libraries.wright.edu/rightflier/36>

This Newsletter is brought to you for free and open access by the American Association of University Professors at CORE Scholar. It has been accepted for inclusion in The Right Flier Newsletter by an authorized administrator of CORE Scholar. For more information, please contact library-corescholar@wright.edu.

February 2011

Editor: Martin Kich

The Right Flier

Volume 11, Number 3

Table of Contents

Which Side Are You On? 1-6

Rudy Fichtenbaum

OCAAUP Collective Bargaining "Defense Kit"

Talking Points 6-8

Sample Letter #1 8-9

Sample Letter #2 9-10

Sample Letter #3 10

Sample Letter #3 Shorter Version 10-11

Sample Op-Ed Piece 11-12

President's Message

This special issue of the Wright Flier is devoted entirely to one burning issue: the greatest threat to AAUP-WSU's existence over its twelve-year history, Ohio Senate Bill 5. This newsletter has urged all of us to action many times over the years, but never has such action been more needed than it is now. Please take the time to read through the following articles and contact your state representatives and senators directly (we even offer sample letters), urging them to vote against this disingenuous and destructive piece of legislation.

Barry Milligan, President, AAUP-WSU

Which Side Are You On?

By Rudy Fichtenbaum,

Chief Negotiator, AAUP-WSU

Sen. Shannon Jones (R-Springboro) has introduced SB 5, a bill to eliminate collective bargaining for public employees. Section 1 of the bill reads: "It is the General Assembly's intent that sections of the Revised Code be amended, enacted, or repealed to prohibit the state and state employees and state institutions of higher education and their employees from collectively bargaining, to abolish salary schedules for public employees and instead require merit pay, and to make various other changes to the Collective Bargaining Law."

(continued)

Newsletter of the AAUP-WSU

We are now in our 12th year of collective bargaining for faculty at Wright State University. Before we had collective bargaining:

- We did not have minimum salaries
- We did not have domestic partner benefits
- We did not have paid parental leave
- We did not have 100% coverage for preventive dental services
- We had to pay for dental sealants for children under the age of 16
- We did not have vision insurance
- We did not have adoption assistance
- We had to pay to have access to the fitness center
- We did not have objective criteria for promotion and tenure
- We did not have objective measures for annual evaluation
- Developmental leaves were scarce
- Workload assignment was subjective
- We did not have the means to address cronyism.

I will add that as we have won all of these improved benefits, the Administration has extended many of these benefits to all benefit-eligible employees at the University, so not only has our bargaining unit benefited from collective bargaining but, in fact, all benefit-eligible employees have benefited from our collective bargaining agreements.

Salary Impact

Before we had collective bargaining, our salaries, by rank, were near the bottom in the state and we paid more than the average in the state for our health benefits. Two years ago, we received an average raise of 3% and last year and this year we received average raises of 5%. Today our salaries rank second in the state by rank and what we pay for our health benefits is about average for the state universities in Ohio.

Can I prove that we would not have had an average raise of 5% without a union? No! But I

can tell you this, before we received our raises in 2009, the President and the Provost met with some members of the AAUP-WSU and asked if we would give up the raises we had negotiated. Of course we said no, pointing out to the President that the University had the money to pay us the raises we bargained for in good faith.

Without a union and a CBA we would be in the same position as other employees at Wright State -- getting a 2% raise on the first \$50,000 of our salary effective in January 2010 followed by a 2% raise in the fall of 2010. For most faculty the 2% raise on the first \$50,000 of salary would have been even less than 1% for the year because the average salary for bargaining unit faculty today at Wright State is over \$88,000 per year.

Most of you were not working at the University before we had collective bargaining. Before I was the Chief Negotiator for the AAUP-WSU, I served two terms as Faculty President. Before we had a CBA the Senate Budget Committee would meet and make a recommendation that faculty and staff be given a raise and generally that recommendation was ignored. The Administration did whatever they wanted, including making changes in our health benefits without consulting us. In other words, we were involved in "collective begging" instead of collective bargaining. With collective bargaining, we have eliminated the unilateral prerogative of Administrations and the Board of Trustees to impose their priorities on the faculty. Without a union, we were the residual claimants at the University: we got the leftovers, after Administrations and the Board of Trustees pursued their "strategic initiatives. "

Most of you were not around the last time we had a severe state budget crisis. At that time, without a union, we had at least one year with a zero raise and two more years of raises that were two percent across the board, with one percent delayed until January. In other words, without a union, we were in the same position that non-represented faculty and staff are in right now.

Benefits Impact

In our 2005-2008 CBA, we held the line on health care costs. Although there was a nominal increase in premiums, every bargaining unit faculty member received a \$470 salary increase above and beyond the salary increases called for elsewhere in Article 23 to offset the increase in premiums. As a result, we have finally brought our health care premiums down to the average level among the state universities.

In the negotiations for the current CBA the Administration wanted to impose an HSA qualified health plan as our low cost plan, which would have dramatically increased the cost of our PPO, our most popular health plan. With the overwhelming support of our members, we rejected this proposal and limited increases in health care premiums. Judging by the very small number of bargaining unit faculty who have selected the HSA qualified health plan, it is safe to say that most faculty do not think it is a good option for them and their families, and yet without a union the Administration would have almost certainly imposed this plan on the faculty, making it the low cost plan, and this would have resulted in huge increases in premiums for the PPO and the HMO, making them unaffordable for a large number of faculty.

Faculty Growth Impact

As one of the conditions for settling our 2005-2008 negotiations, our union obtained a pledge from the President, in the form of a letter that he wrote to the Provost and the Deans, stating his intent to increase substantially the number of tenure-track faculty at the University. As a result, the University hired a significant number of tenure-track faculty and our bargaining unit went from 407 to about 460. We believe that having enough tenure-track faculty members is essential to giving our students a high-quality education and expanding the research capacity of the University. Improving the quality of our University enhances our reputation and makes the degrees our students earn more valuable. Of

course, now we have seen that the Administration appears to be renegeing on that promise by failing to replace most of the 24 bargaining unit faculty members who retired last year after taking the retirement incentive. So while we have a record number of students, we have fewer bargaining unit faculty, and those remaining bargaining unit faculty are working harder, bearing most of the burden of converting our curriculum to semesters.

Annual Evaluation Impact

The achievements of our union have not been only in the level of compensation but also in the processes used to distribute compensation. In the bad old days (when the state was not in a budget crisis), the university gave each college a fixed percentage of base salaries of faculty and staff to distribute in the college. Deans regularly gave department chairs in the some colleges larger average raises than those received by faculty in the college. In addition, the deans would regularly skim off the top as much as 1% of the salary pool for "super merit" to reward faculty for "special contributions," like being the dean's best friend. The raises, when there were raises, were 100% "merit" although there were no criteria for receiving these raises and there was no relationship, in many cases, between the annual evaluations faculty members received from their department chairs and their "merit raises."

Many of us believe that our current "merit" system is broken. In the past two rounds of negotiations, our union has proposed changes that we believe would better reward people for performance, but in each case the Administration has rejected our proposals, instead opting to keep the status quo. Despite the shortcomings of our current "merit" system, at least it prevents chairs and deans from rewarding their friends and punishing their enemies. Again most of you were hired after we had collective bargaining; so you have not experienced firsthand a system in which chairs relied totally on one number in student evaluations of teaching to evaluate

teaching. You also have not observed raises being given to faculty that had no relationship to performance. Did this happen in all cases? No; there were some chairs who were fair, but there were also many who were not.

P&T Evaluation Impact

Before we had collective bargaining, there were no criteria for promotion and tenure. Some faculty thought that having criteria would lead to just bean counting and that everyone would get tenure. The reality is that before we had a CBA, almost no one was ever turned down for tenure. Before the CBA, the only way to get turned down for tenure in most cases was to have a mediocre record of scholarship and get on the wrong side of your dean. Is our system perfect? No! Can we make it better? Yes! Is it better than the corrupt patronage system that prevailed before our CBA? Yes! The point is that because we have bylaws, we, the faculty, can make changes to the criteria for promotion and tenure, as long as they are approved by deans and the Faculty Governance Committee (FGC). And oppositely the deans cannot make unilateral changes to the criteria for promotion and tenure without the approval of the majority of bargaining unit faculty in a department. The CBA gives us that right.

Before the CBA, no one knew what he or she needed to do to get promoted to the rank of professor. In many cases, you had to be invited to be a "member of the club." In many cases "the club" was a "good old boy network." Associate professors were beholden to the whims of professors and deans. Before we had collective bargaining, in at least one college with a significant number of women faculty, no woman had ever been promoted to the rank of professor.

Developmental Leave Impact

We have improved the process for the granting of Professional Development Leaves by establishing criteria and allocating all of the quarters available to the colleges. Before this

change, a faulty member could receive only one quarter of PDL from his or her college at 100% pay. Faculty who received one quarter from their college could then compete university-wide for supplemental leave. Faculty on the University Promotion and Tenure Committee used to vote to allocate supplemental leave; so we had Business faculty making judgments about proposals from Art and Music faculty and Science faculty making judgments about proposals from Business faculty, all without any written criteria. Our CBA has changed that system.

So clearly one of the benefits of collective bargaining is that we have made the processes of annual evaluation, promotion and tenure, and the awarding of professional development leaves fairer and more transparent.

Workload Impact

Without a union, we would not have a negotiated workload policy and if any of you doubt that in the absence of a union you would have the teaching loads negotiated in our workload policy, you need only look at the proposals put forward by the Administration. A number of deans proposed 3-3 teaching loads. While there are a few of us left who remember teaching 3-3-3, the overwhelming majority of you were hired with the understanding that your teaching load would be either 3-2-2 or 2-2-2. Moving from a 3-2-2 or 2-2-2 under quarters to 3-3 under semesters would have been a substantial increase in faculty teaching loads and would have been a step in the wrong direction. At the Lake Campus, the Administration wanted bargaining unit faculty to have the same teaching load as our instructors and lecturers on the main campus, despite the fact that almost all of them have Ph.D.s and must be engaged in scholarship to earn tenure and promotion. Without a union, you would get whatever teaching load the dean wanted to give you. With a union, we have had a major say about what happens to our teaching loads when we move to a semester system. In fact, I would invite you to ask your colleagues around the

state who are on semesters or are converting to semesters about their teaching loads. In most cases, I think you will find that our teaching loads are more than competitive.

A Rationale and a Call for Action

Now Senator Jones wants to make it illegal for faculty to have unions. In fact, it is likely that this bill will be partially folded into the budget bill, presumably under the guise that getting rid of unions will lower the cost of higher education. Of course, we know the truth--that it is not faculty salaries that are driving up costs, nor is it the number of tenured and tenure-track faculty. In Ohio, salaries for professorial faculty account for only 14% of operating expenses at state universities and only 24% of total spending on compensation.

According to a recent report put out by the Goldwater Institute, "Enrollment at America's leading universities has been increasing dramatically, rising nearly 15 percent between 1993 and 2007. But unlike almost every other growing industry, higher education has not become more efficient. Instead, universities now have more administrative employees and spend more on Administration to educate each student. In short, universities are suffering from 'administrative bloat,' expanding the resources devoted to Administration significantly faster than spending on instruction, research and service." The Delta Cost Project similarly concludes that the main reason for the rising cost of higher education is the growth of administrative spending. In trying to debunk the view seemingly held by most Republicans, the Delta Cost Project asserts that it is a myth to equate faculty productivity with institutional productivity and assume that "all costs in higher education are driven by faculty workload and compensation. It's not true: spending on faculty is a minority of total spending in most institutions, a proportion that has been declining in all sectors for the last two decades." The Delta Cost Project concludes: "the share of educational spending dedicated to classroom instruction declined at all types of

institutions from 2002 to 2006. By contrast, spending on academic support, student services, Administration, and maintenance increased as a share of total educational costs over the same period."

Normally, I am sure that Senator Jones, like our new Governor, extolls the virtues of the free market. Apparently it has escaped them that there is a growing gap between salaries at public universities in the U.S. and salaries at private universities. This means that, ultimately, it will be difficult to attract and retain the best and the brightest faculty at state universities. Of all the groups on campus, it is the faculty who fight for academic quality to insure that money is spent on improving the educational experience of students rather than on rock climbing walls and intercollegiate athletics. If the Republicans in the legislature wanted to save taxpayer money, they could prohibit the use of tuition and state appropriations for use in intercollegiate athletics at state universities. To put things in perspective, only one university, Ohio State University has an intercollegiate athletic program that receives no money from student fees and receives no institutional support. The remaining nine schools in Ohio listed in *USA Today* spent a total of \$107.6 million in student fees and institutional support to subsidize their intercollegiate athletic programs in FY 2009. Those same nine schools according to *Grapevine* received \$936 million in state appropriations in FY 2009. So without the subsidies, either the state could cut its appropriation to those schools by 11.5% or it could reduce students' tuition by 11.5%.

What Senate Bill 5 would do, if passed, is take away a basic right that should be guaranteed to any employee in a free society: the right to hold an election among a group of employees to decide by a majority vote to be represented by a union. The fact that we are public employees does not mean that we should have fewer rights than other Americans. Human Rights Watch in a report *Unfair Advantage: Worker's Freedom of Association in the United States Under International Human Rights Standards* points out that for many workers in the U.S. if they "attempt

to form and join a union, or exercise any freedom of association even without the intent of forming a union, they can be summarily threatened, intimidated, or fired with impunity by their employer because of their exclusion from coverage by the NLRA [National Labor Relations Act].” Human Right’s Watch notes that faculty at private universities, because of a Supreme Court decision, do not have the right to form a union. State employees are also excluded from coverage by the NLRA and it is up to each state to enact its own enabling legislation to give public employees in their state the same rights that the employees in all other advanced democracies enjoy.

Senator Jones’s bill is a misguided attempt to deprive public employees of their basic human rights. It is un-American. It is a bill that will not save the taxpayers or our students one dime. Reducing faculty salaries at public universities in Ohio will make our institutions less competitive, reducing the quality of education available to Ohioans. As a result, our students will be ill prepared as citizens in a democratic society. Being less competitive will also impair our ability to attract top-notch scholars to our institutions. Without a high-quality system of higher education, our students will be unprepared for the jobs of the future, and employers who are looking for skilled workers will look elsewhere, costing Ohio jobs.

In the past, AAUP-WSU has shied away from politics. Senate Bill 5, however, seeks to institute policy that will negatively impact faculty recruiting, retention, and productivity in Ohio’s public universities. We can no longer afford to sit on the sidelines. Senate Bill 5 threatens our very existence as an organization and threatens to undermine the quality of education at Wright State University in particular and in Ohio generally. The AAUP-WSU calls on all of its members and supporters at the University to talk with your colleagues, your students, and your friends and to urge them to call their state representatives and state senators and demand that they vote no on Senate Bill 5.

Talking Points on the Value of Public-sector Unions

Public-sector Unions Do Not Increase State Budget Shortfalls.

From Policy Matters Ohio – for the 2011 fiscal year:

- 16.5% Budget Deficit in the 9 states banning collective bargaining by all state/local public employees.
- 16.2% Budget Deficit for 15 states allowing collective bargaining for all public employees.
- 16.6% Budget Deficit among the 42 states allowing some or all collective bargaining by public employees..
- 17.6% Budget Deficit for the 31 states that allow only state workers to collectively bargain

Public Employees Are Not Overpaid.

From the Center for Economic Policy Research comparing public sector and private sector wages:

- The compensation differences amount to a “wage penalty” for public-sector workers.
- State and local government workers make 4% less on average than similar private-sector workers.
- Looking at gender: women in the public sector make 2% less and men make 6% less than private-sector equivalents.
- Looking at type of work: a middle-wage earner makes approximately 4% less in the public sector and high-wage workers make about 11% less than private-sector equivalents.
 - On average, public-sector workers are paid 3.7% less than similarly situated, full-time private-sector employees.

- The comparison is closer for local public employees (1.8%) than it is for state workers (7.6%).
- State and local governments pay a higher percentage of employee compensation in the form of benefits (34.1%), as opposed to the private sector (26.1-33.1%). The forms of benefits vary between the two sectors:
 - Health insurance: 11.2% of public-sector compensation; 6.3-8.3% of private-sector compensation.
 - Retirement benefits: 8.1% of public-sector compensation; 2.8-4.8% of private-sector compensation.
- Differing pay levels between the public and private sector are affected by education differences amongst the workforce:
 - 54% of full-time state and public workers earned at least a four-year college degree; only 35% of private-sector workers have the same.

Arbitration is an effective part of public-sector collective bargaining

- Twenty-five have laws encouraging public-sector employers and unions to voluntarily negotiate collective bargaining agreements, with the possibility of an arbitrated settlement as a fallback when they are unable to resolve disputes on their own.
 - In most states, arbitration is compulsory for police or firefighters (where one side can initiate the process without the agreement of the other side, or where a third party can initiate the process), while it's voluntary for other types of public employees.
 - There is general acceptance of the laws by employers, employees, and citizens. In response to problems that have arisen with these statutes, legislators have merely amended the laws rather than fully repealing them.
- States with voluntary or compulsive arbitration include: AK, CT, DE, DC, HI, IL, IN, IA, ME, MA, MI, MN, MT, NE, NV, NH, NJ, NM, NY, OH, OK, OR, PA, RI, TX, VT.
 - The passage of an arbitration law has little to no effect on wages or benefits. For instance, a 2001 study of police officer salaries from 32 states and the District of Columbia found that there was no statistically significant evidence that the presence of an arbitration statute systematically affects wages.
 - Wage increases and contract terms resulting from arbitration tend to be very similar to those won through voluntary negotiations. Arbitrators are normally bound to base their decisions on factors outlined in the law, such as the comparability of wages with similar jobs in the region, and the public employer's ability to pay.
 - It's more the threat of arbitration, not the actual use of the procedure, which encourages parties to voluntarily settle.
 - Arbitration has significantly reduced the number of public-sector strikes.
 - Arbitrators tend to be conservative and shy away from imposing any innovations in an award.
 - Innovations thus must be developed through mutual agreement by both sides. What is clear from this body of research is that arbitration reduces labor strife, encourages productive collective bargaining, and levels the playing field for public employees—all with a minimal fiscal impact on the state and local governments.
 - The data do not suggest that arbitration has done great mischief to the democratic process or put an undue strain on the public coffers.
 - The vast majority of contracts in these jurisdictions are settled voluntarily.

- Studies indicate that the number of voluntary settlements has increased from the time the laws were enacted.

From New Research Counters Arguments for “Right-To-Work” Laws - Erin Johansson and Michael Wasser December 2010:

The 1947 passage of the Taft-Hartley amendments to the National Labor Relations Act allowed states to make it illegal for employers and unions to bargain agreements stipulating that all employees represented by a union had to pay dues. Without these agreements, unions are required to represent and negotiate on behalf of all the employees they represent, regardless of whether they choose to pay dues or decide to be “free riders.”

Since 1947, twenty-two states have passed RTW laws.

RTW laws don't generate jobs, economic growth

- Proponents of RTW laws claim that they enable a more business-friendly environment and lead to economic growth for states and their residents.
- Yet recent studies rebut claims of economic growth and instead find that laws suppress wages. Comparing RTW states with non-RTW states:
 - Has no impact on economic growth
 - Has no influence on employment
 - Has no influence on business capital formation (the ratio of firm ‘births’ to the number of firms)
 - Is correlated with a decrease in wages
 - Average real state GDP growth rate of RTW states is not significantly different than non-RTW states.
 - From a state’s economic standpoint, being right-to-work yields little or no gain in employment and real economic growth.”
 - Controlling for geographic factors, studies find RTW legislation is associated with

only a slight increase in manufacturing employment, along with a decrease in employment in agriculture, fishing, mining and some service industries.

- RTW laws lead to declines in workplace representation and wages
- RTW laws do lead to declines in union representation.
- Workers living in RTW states earn 6.5% less than comparable workers living in non-RTW states.
- Workers living in a RTW state on the border of a non-RTW state enjoy higher wages.
- Our economy is dependent on consumer spending, and when workers don't have money in their pockets to spend, our economy suffers.
- According to recent remarks by Federal Reserve Chairmen Ben Bernanke, rising wages spur consumer spending and would “help sustain growth” in the economy.
- Yet if more states enact RTW legislation, research indicates that rather than generating more jobs, legislators risk depressing wages and impeding this economic recovery.

Sample Letter #1 to Your Legislator

Dear Senator/Representative X:

My name is XXX. I am a longtime voter in your district, a professor at X University, and a member of the Ohio Conference of the American Association of University Professors (AAUP). I am writing to you today regarding Senate Bill 5, legislation that would eliminate collective bargaining rights for all public employees in the State of Ohio.

Proponents of this bill believe that abolishing collective bargaining will help to reduce our state’s budget deficit and make Ohio more competitive economically. However, there is no

evidence to suggest this is true. Studies show that states without collective bargaining are in no better of a financial position than Ohio. In fact, these states have a slightly higher average budget deficit in the current fiscal year.

On the other hand, public employee unions have provided a hedge against generally falling income levels for all citizens. This translates into advantages for all of Ohio. Families with wage earners represented by a union will pay more in taxes to the state and can better afford to participate in the economy. Both are reasons to maintain collective bargaining, not remove it.

Former U.S. Senator and Ohio Governor George Voinovich, who opposed the institution of binding arbitration for public-sector bargaining units, has in retrospect called that legislation one of the great, unexpected successes achieved by his administration. It dramatically reduced the number of strikes disrupting public services, and the wage increases awarded through binding arbitration have not substantially differed from those formerly achieved through strikes.

Ohio needs innovative leadership that will encourage economic growth, not the failed logic of placing blame for our difficulties at the feet of police officers, firefighters, teachers, and state and local office workers – all working people who have democratically chosen to be represented by collective bargaining.

There are more viable, long-term budget solutions that have proven to effectively save taxpayer dollars without jeopardizing the well-being of any citizen, such as streamlining, consolidating, and regionalizing government services. In addition, it is time to seriously examine Ohio's largest expense, Medicaid, and rid it of the waste, fraud, and gaming that continues to plague the system.

Like you, I take Ohio's budget and economic woes very seriously; however, eliminating collective bargaining for public employees is not a solution. I hope you will provide the kind of real leadership our district and state expects,

reject SB 5, and enact the lasting reforms Ohio needs to succeed.

Sincerely,
Dave Citizen
Your Town

Sample Letter #2 to Your Legislator

Dear State Rep. XXX

My name is XXX and I am a longtime voter in your district. As you are aware, the Ohio State House will be considering the legislative agenda that includes, as an effort to reduce our state's budget deficit, measures to abrogate bargaining rights for Ohio's public employees. I am referring to proposals currently found in the placeholder Senate Bill 5. I have grave concerns that these actions will not be in the best interests of our citizens, will do nothing to reduce the state's deficit, and may actually prove to be counterproductive to the intention of proponents of the bill.

I am reminded that Senator Voinovich, former governor of Ohio, once held negative sentiments regarding public-sector employee unions, but now refers to ORC 4117 as one of the great, unexpected successes achieved by his administration. No doubt he is basing his opinion on the dramatic reduction of strikes and interruptions for public services, and the even-handedness with which contracts are negotiated. Studies show that consistently both sides are served well by the relationships they enter into in a collective bargaining environment.

Certainly you and your colleagues in the legislature do not enjoy being demonized by your critics. It is a safe bet that nurses, police officers, teachers, fire fighters, state office workers and college professors have the same sensibilities. If the legislature could think for a moment about the human capital involved in the debates to come, and the richness of the services we all enjoy because of their labor, you might come to

a less aversive strategy for re-energizing the economy.

Indeed, at this time of unprecedented budget reductions, the real value of the public-sector employees at the state and local levels is realized by their efforts to insure our safety, keep us healthy, provide a variety of social comforts to those who have no safety net, and educate generation after generation of young citizens so that they can productively take their place in society as adults. These are proud Ohioans who simply want a seat at the table when it comes to fairly and democratically charting their future.

I hope the legislature can see through the rhetoric on both sides of this issue, and move on to real solutions for our state's financial difficulties. While there is a difficult course ahead to chart, the one route that we know will fail to heal our economy, reduce the credibility of state government, and further contribute to rancorous debate is to simply remove hard-won rights of our state's union members.

Sincerely,
Sara Citizen
Your Town

Sample Letter #3 to the Editor of Your Newspaper

To the Editor - Daily News

When the economy falters, some politicians rush to blame the unions. This has happened here in Ohio and around the country. The governor and various state legislators have proposed eliminating or radically changing the state's collective bargaining law. Their arguments are that binding arbitration for negotiations is too costly, that public employees make too much money, and that public employee unions have caused the deficit. None of this is true.

According to the State Employment Relations Board, a very small portion of contract disputes go to arbitration (only 20 instances in the last five

years), with decisions favoring employers and employees equally. And if one wants to insure that arbitrators come only from Ohio, this is easy for state government officials to mandate without gutting the collective bargaining law.

As for the state budget deficit, it must be pointed out that states without public employee unionization have deficits similar to Ohio's. It is the recession that has caused the deficit to balloon, not public employee compensation. Research shows that public employees are not overpaid – that they make slightly less than private employees with the same experience and education. Furthermore, a much higher percentage of public employees have college degrees.

Finally, the state collective bargaining law reduces strikes. Before the law, there were about sixty strikes per year. During the last decade, there were only four per year. The facts tell us that collective bargaining works and nothing about ORC 4117 needs fixing because nothing in it is broken. If Ohio legislators value the contributions of nurses, firefighters, police officers, teachers, and other public employees, I hope they can get the facts straight and not attack workers who, in some cases, risk their lives for us. Fiddling with Ohio's collective bargaining law will not fix the budget deficit.

Your Name
Your City, Ohio

Sample Letter #3 to the Editor of Your Newspaper Shorter Version

To the Editor - Daily News

When the economy falters, some politicians rush to blame the unions. This has happened here in Ohio and around the country. The governor and various state legislators have proposed eliminating or radically changing the state's collective bargaining law. Their arguments are

that binding arbitration for negotiations is too costly, that public employees make too much money, and that public employee unions have caused the deficit. None of this is true.

According to the State Employment Relations Board, only 2% of negotiations go to arbitration, with decisions favoring employers and employees equally. And if one wants to insure that arbitrators come only from Ohio, this is easy to mandate. As for the state budget deficit, it must be pointed out that states without public employee unionization have deficits similar to Ohio's. It is the recession that has caused the deficit to balloon, not public employee compensation. Research shows that public employees make slightly less than private employees with the same experience and education. Furthermore, a much higher percentage of public employees have college degrees.

Finally, the state collective bargaining law reduces strikes. Before the law, there were about sixty strikes per year. During the last decade, there were only four per year. What is broken here?

If Ohio legislators value the contributions of nurses, firefighters, police officers, teachers, and other public employees, they should get the facts straight and not attack workers who, in some cases, risk their lives for us. Fiddling with Ohio's collective bargaining law will not fix the budget deficit.

Dave Reader
Uniontown, Ohio

Sample OpEd Submission to Local Newspapers

The Facts on Collective Bargaining and Ohio's Budget Crisis

To the Editor

When the economy falters, politicians rush to blame the unions. That has happened here in Ohio and around the country. The Governor and various state legislators have proposed eliminating or radically changing the state's collective bargaining law. Their arguments are that binding arbitration for negotiations is too costly and sends money to arbitrators out of state, and they imply that unionized state employees are the cause of the budget deficit.

Governor John Kasich likes unions that "make things," but adamantly dislikes public-sector collective bargaining. On solving labor disputes, he's on the record: "When there's a labor dispute, they bring somebody in from Kokomo, Ind., he comes into Ohio, he imposes a settlement on our cities, he goes back to Kokomo, and we pay the bill. Our local governments don't want that. It drives up the cost." (Columbus Dispatch Sunday, January 23, 2011)

If this is a problem, changing the collective bargaining law isn't the needed repair. The governors' office, through the State Employee Relations Board, assigns arbitrators when labor disputes arise. Stopping the flow of money out of the state is as simple as assigning Ohio firms to labor dispute cases that arise. It must be noted, however, that since the establishment of ORC 4117 in the early 1980's, the vast majority of the hundreds of contract negotiations have been concluded without having to arbitrate a solution, and fewer than 2% since 2008 have gone to out-of-state arbitrators.

In this same news report, State Senator Shannon Jones, author of SB 5, said, regarding arbitration: "some cities and counties capitulate to union demands rather than take a chance on an arbitrator who could rule against them. That drives up the overall cost of labor." It sounds like cities/counties are doing the driving to me. The facts, which are available to city and county negotiators, tell a much different story. In those

rare cases when arbitration does occur in public-sector settings the results turn out to advantage employers as often as employees.

Summing up, the Ohio state legislature, according to SB 5, is considering the abolishment of public-sector unions because the state doesn't exercise its right to choose arbitrators, and because local city and county negotiators have unrealistic fears that their interests might not be served. Since passage of the 1983 state law, public employee strikes have dropped from sixty per year before the law to about four per year in the last decade. Furthermore, unions have not caused the deficit. States without public employee unions have deficits as big as or bigger than Ohio's deficit. The recession, not public employees, has led to these deficits.

Unions exist by virtue of democratic elections voted on by employees. They operate completely within state law, and have resulted in improved working conditions for hundreds of thousands of our friends and neighbors - nurses, fire fighters, police officers, teachers and state service providers. Because both employers and employees know that their respective rights will be enforced, relations between the two are more civil, and more gets done for the citizens of Ohio. Unions work. Unions are not the problem. Ohioans deserve more innovative leadership, not a replay of tired old ideas that vilify these often fearless and hardworking state employees.

Dos & Don'ts: Talking to the Media & Public

The battle over collective bargaining rights largely will take place in the public arena. As a result, it is of critical importance that we bring the most effective message to the public. Intensive research conducted in the Midwest showed that the public does not want to be engaged in policy debate. The public will, however, respond to messages about this being another "attack on the middle class." Consequently, in letters to the editor, radio interviews, or TV appearances, it is best to make a more personal, heartfelt appeal that focuses on how collective bargaining is good for everyone, not just those who directly benefit.

DO Discuss...

- This as an attack on the middle class. Unions improve standards and wages for *all* working families.
- Politicians as hypocrites. Our state legislators are public employees, too, yet they have not taken any reduction in wages or benefits. In fact, many of them voted against cutting their own pay during the last General Assembly.
- The negative impact on some of the most important professions in our society, including teachers, nurses, police officers, and firefighters.

DON'T Discuss...

- Complex policy details, But be armed with the important facts.
- Why you or your colleagues personally benefit from collective bargaining.
- Your union as a different or better than any other public employee union. **Stay united.**
- Disputes with your employer. Focus on how collective bargaining agreements help to build consensus.