

AMERICAN FEDERATION OF TEACHERS

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ALBERT SHANKER, President

Transcript of

Albert Shanker, President
American Federation of Teachers

and

James Harris, President
National Education Association

on the

TODAY SHOW
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BARBARA WALTERS: Here is one of New York City's public elementary schools. It looks like a very nice quiet building at this time of the morning. We're showing it to you because we're going to be talking about school teachers and whether it's right for their unions to undertake collective bargaining.

We're going to be talking with Albert Shanker this half hour. He's the head of the American Federation of Teachers, and also with James Harris of the National Education Association about some hotly controversial issues which if passed would give teachers in every state the right to bargain collectively for higher salaries. It's a federal law which is currently being contemplated and there's a lot of disagreement about it. I guess you can't talk about teachers these days without, now, being controversial. It didn't used to be that way.

JIM HART: They're becoming a very significant political force in this country.

WALTERS: The large school teacher unions are demanding federal legislation that would require every school board in the country to undertake collective bargaining with its teachers in accordance with the federal labor relations laws. Both the National Education Association, under the leadership of its president, James Harris, and the American Federation of Teachers, led by Albert Shanker, are supporting bills that are now going through hearings before Senate committees. If they pass, then for the first time all of

the nation's 3 million teachers will be able to bargain collectively with individual school boards. At the moment, there are many states in which collective bargaining in the accepted sense isn't recognized as a teachers' right. Among other things, teachers' strikes have been forbidden. The National School Boards Association is against the proposed legislation.

Sometime back we heard from its president, the president of the National School Boards Association, Philip Swain. He said that he felt that the bills would open the door to big government meddling in the affairs of local school boards, that school boards have to be autonomous, and we want to hear now the other point of view, the point of view of the teachers' unions. And so we asked Mr. Shanker and Mr. Harris here.

Let's deal with that first of all. There's always the fear of the federal government meddling in local issues, and especially when you talk about teachers and students and the individual needs of local school boards. Okay, would a federal law interfere with this autonomy?

JAMES HARRIS: I think that teachers. . . well, the federal government is already involved in schools, and so I don't think it's a matter of allowing the federal government to meddle in local issues. The federal government is already involved in the school situation on the local level and so that's not really a question.

WALTERS: Well, couldn't it get worse if they had more power?

HARRIS: Well, the collective bargaining bill -- or the right to sit down and discuss those things that are important to teachers and important to education -- doesn't necessarily indicate that things are going to get worse. It simply means that people have the right to discuss those things that are important.

WALTERS: Well, you say it doesn't necessarily mean, but I'm taking Mr. Swain's place. I'm now Mr. Swain. Would it not be that it might -- is that not a fear?

ALBERT SHANKER: No, it could not be. I think this issue was settled in the 1930s, because precisely the same argument was used against extending collective bargaining to workers in the private sector. People in

large corporations said that if we all come under the National Labor Relations Law, the federal government will be telling us what kind of automobiles to manufacture or what shape the tail fins should be or something like that. Now, the law merely provides that the federal government will interfere when an employer does not accord certain rights to the employees. Those rights are the rights to select an organization to sit down and bargain on wages and conditions of employment. Those are the only rights that are protected by the law.

WALTERS: Will it be uniform rights? Will it affect every school in every state? Will they all have the same salary, and so forth, if this goes through?

SHANKER: Well, not the same salary, just the same right to select an organization and to sit and negotiate. But the federal government will not tell either the teachers or the school board what should be in a given contract. You obviously have very different agreements in one place and another, just as you do in private industry. You don't have the same contract in every factory or in every grocery store that's organized. By the way, there's collective bargaining now for teachers in about half the states in the country and every local contract is different. This law would merely give to those teachers who are in the backward states -- backward with respect to the granting of this right -- the same rights that other teachers now enjoy.

WALTERS: Your critics say that teachers don't want this, that you want it because it increases your power. I don't mean you personally, I mean your unions.

SHANKER: Teachers in each locality would have the right to reject an organization. That is, one of the rules of labor legislation is that before teachers are represented by an organization, they have a right to be involved in an election where they can choose to be represented by an organization of their choice, and one of the choices is to be represented by no organization at all.

WALTERS: So they don't have to join the union if they don't want to.

SHANKER: That's right.

HARRIS: I would point out that our delegate assembly is the largest deliberative body in the world and this has been our top priority for several

recent years.

WALTERS:

Which has been?

HARRIS:

Working for a national P.N. bill. So it is not a determination that has been made by the leadership, but one that has been made by the representatives of teachers in their deliberative bodies.

WALTERS:

But today, if teachers in a particular school don't want to join their union, they don't have to?

HARRIS:

That's right.

WALTERS:

And no one is going to coerce them into doing it?

HARRIS:

That's correct.

WALTERS:

Let's talk about the strikes, because I think people are confused about that. Mr. Shanker, there have been teachers' strikes despite state laws forbidding them. You went to jail twice -- a long, bitter battle that all of us, certainly in this state, remember. What's the situation with strikes now? Can the teachers walk out?

SHANKER:

Well, they obviously can. The question is what penalties they pay. In some states, some public employee strikes are legal. In other states, all public employee strikes are illegal. And then there's a range of penalties, where in some states public employees have gone to jail for as long as a year and a half for going out on strike. In other states, there are no jail penalties, but there are fines. Now, here there is a basic question. We strongly support the right to strike for all employees who do not engage in work which would involve danger to public health or danger to life.

WALTERS:

Would this bill change that? Would it make it possible for teachers to strike without these kinds of jail penalties?

HARRIS:

It would make it possible if that was one of the provisions in the bill and I think it might lessen the number of strikes that we currently have. Whether or not we have a P.N. bill doesn't determine whether or not they're going to strike.

WALTERS:

What does P.N. stand for?

HARRIS:

Professional negotiations bill. When teachers or anyone else are sufficiently frustrated or they have no way of actually resolving those issues that separate them from the employer, then they're going to strike. And this bill could provide the kind of orderly process for talking that might make strikes unnecessary.

WALTERS: Let me get this clear. This bill means that if teachers have a gripe, that somebody must sit down and talk with them, is that right?

HARRIS: That's correct.

WALTERS: And who is the somebody?

HARRIS: And it isn't necessarily a gripe. Many of the things that might be negotiated would improve education immensely.

WALTERS: Who is this somebody?

HARRIS: The school board.

WALTERS: This says that you must sit down and talk. Is that what this bill will do?

SHANKER: It does not mean that if you have a gripe, they sit down and talk. It means, first of all, that teachers or other public employees in an appropriate unit will vote. And they will decide whether they want organization A, B, C, or no organization at all to represent them. If they decide on organization B, then organization B does have the right to sit down to present demands to representatives of the board of education, any representative the board of education chooses. Then the board of education is compelled to sit and listen.

WALTERS: That's the thing then. They now must. In the past they could have said, I don't feel like it and they didn't have to. Now they must listen.

SHANKER: That's right. But they are not compelled to agree to anything that they don't want to agree to.

WALTERS: Then what this says is if teachers, or employees in the school, it doesn't have to be teachers, want to get together, somebody must sit down and listen to them.

SHANKER: That's right. And now it means that after they do reach certain agreements that the board of education is legally required to reduce those agreements to writing. And usually, as part of such agreement, there is agreeable procedure so that if there's a difference of interpretation for that one or two or three-year life of the agreement, ultimately some third party would decide on the interpretation of the agreement.

HARRIS: I would also like to point out, though, that in the past ten years, previously, many times more than 50 percent of the strikes were just

for the right to enter negotiations.

WALTERS: We just have 30 seconds, which is a great time to ask you this question, but will teachers become a political force? Will their unions back a particular candidate the way other labor forces have?

HARRIS: Teachers are already a political force. Teachers are already backing candidates.

WALTERS: As a union, as a group, will they back a presidential candidate?

SHANKER: As a group, yes. As organizations we have collected large sums of money in recent years. We have thousands of volunteers in campaigns.

WALTERS: So you're going to be a very large and an increasingly larger political force.

SHANKER: There's no question about it.