



STUDY GUIDE

DO BIG UNIONS BUY POLITICIANS?

KEY TERMS:

unions
candidates

representatives
pension

activists

NOTE-TAKING COLUMN: Complete this section during the video. Include definitions and key terms.

CUE COLUMN: Complete this section after the video.

What do public service unions do?

How do public service unions get so powerful?

How do unions help certain politicians get elected?

What is so bad about unions getting certain people elected?

What will happen if reform to the system isn't made (as evidenced by Detroit)?

DISCUSSION & REVIEW QUESTIONS:

- We learn in the video that “...public service unions negotiate on behalf of these workers for their wages, benefits, and working conditions” when talking about policemen, firemen, sanitation workers, teachers, and other government employees. Why don’t these people negotiate contracts and accompanying pay and benefits for themselves, like so many in the private sector do? Why do they think that they need unions?
- Further, Professor DiSalvo explains that, “In many states, working for the government is a closed shop: that is, to work for the government you have to pay dues to the union. This guarantees these unions a large membership and a large pot of cash.” Why does this system exist? Do you think that having many government jobs be ‘closed shop’ actually benefits employees? If no, why not? If yes, how? What about employees who don’t want to pay dues to the union or what about employees that are forced to pay dues, if they want to keep their jobs, but don’t like the political ideals or candidates that the union chooses?
- We learn from Professor DiSalvo that “...the goal of the public employee unions is to negotiate with union-friendly politicians,” often ones that the union helped get elected. Do you think that this is a form of corruption? Why or why not?
- Professor DiSalvo also teaches us that, “The most obvious consequence [of public service union power] is that cities and states overpay their workers – by a lot;” that “Trash collection in Dallas, Texas, a state whose government workers are not unionized, costs \$74 per ton. Trash collection in Chicago, whose government workers are unionized, costs \$231 per ton.” Why do citizens in places with ‘big unions’ allow such a system to exist and economically victimize them, especially in poor areas and especially when the U.S. economy is doing poorly? Do you think that enough people are even aware that this is how the system works and how badly they are being affected? Why?
- Further, we learn that the problem of public service unions negotiating contracts with municipalities for large pensions has actually brought some to the point of bankruptcy, and that “...it’s only getting worse. By 2030 the number of retired public workers will equal the number of working public workers.” How are city governments supposed to cover all of that expense? Why would cities enter into such an agreement in the first place if they can’t pay for such benefits? Why would unions push for such benefits if they know that the cities will eventually not be able to pay them and will have to alter their agreements for lower pension payments or will have to scrub them altogether... in which case the union hasn’t represented the employee well or ensured a positive outcome for the retired employee? Why do some employees feel so entitled to such benefits in the first place? Should they be? Why or why not?
- Another consequence of public service unions squeezing so much money out of city governments that Professor DiSalvo shares with us is that, “All this spending on public service unions crowds out tax money for things we need – such as better roads, services and schools.” Do you think that a reasonable compromise can be found between paying for firefighters and paying for air conditioners for school classrooms, for example? Professor DiSalvo warns that if reform does not take place, “...cities like Detroit [going bankrupt] will be the rule, not the exception.” Do you think reform is possible? If no, why not? If yes, how-in what manner?

EXTEND THE LEARNING:

CASE STUDY: Teachers Unions

INSTRUCTIONS: Read the article “Teachers Take Union Dues to Supreme Court,” then answer the questions that follow.

- On what grounds are the teachers taking their union to court? Do you think their case has merit? Why or why not? What are the teacher’s grievances? Do you think their issues are legitimate? Why or why not?
- What is the plaintiff’s intent, with regard to the first amendment? What is the relationship between compulsory dues to a public service union and a potential limitation of an employee’s right to freedom of speech?
- How do you think the court will rule? Why? How do you think a ruling, either way, might affect the ‘closed shop’ system in the future?



QUIZ

DO BIG UNIONS BUY POLITICIANS?

1. Who do the Public Employee Unions represent?

- a. Policemen
- b. Firemen
- c. Bureaucrats
- d. All of the above

2. Which of the following have the biggest impact on how state and local governments operate?

- a. Big banks
- b. Big oil
- c. Big pharma
- d. Big unions

3. The goal of the public employee unions is to negotiate with union-friendly politicians.

- a. True
- b. False

4. What is the consequence of all of the public employee unions power?

- a. Lower state income taxes.
- b. Cities and states overpay their workers -- by a lot.
- c. Cities and states underpay their workers -- by a lot.
- d. Better roads, services, and schools.

5. Four cities in California declared bankruptcy largely because of _____.

- a. The burden of paying public employee holidays.
- b. Too much spending on new city parks.
- c. The burden of paying public employee pensions.
- d. Too much spending on new police vehicles.



QUIZ - ANSWER KEY

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<http://www.usnews.com/news/articles/2015/01/26/teachers-petition-supreme-court-to-overturn-forced-collective-bargaining-dues>

Teachers Take Union Dues to Supreme Court

Teachers unions 'have done more harm than good,' one plaintiff says.



A group of California teachers is hoping the Supreme Court will hear its case challenging compulsory union dues.

By [Allie Bidwell](#) Jan. 26, 2015 | 6:17 p.m. EST + More

A group of public schoolteachers on Monday [petitioned the Supreme Court](#) to hear a challenge to laws allowing teachers unions to require dues from nonmembers who disagree with union positions and policies.

A decision in the teachers' favor could change how public employee unions operate nationwide.

The lawsuit, first filed in April 2013, takes aim at the 300,000-member California Teachers Association and the affiliated National Education Association. The plaintiffs – 10 California teachers and the Christian Educators Association International – claim California's "agency shop" law is unconstitutional and violates

teachers' First Amendment rights by forcing them to pay union dues regardless of whether they support or are a member of the union. Twenty-six states currently have such laws in place.

Rebecca Friedrichs, the case's lead plaintiff, says she decided to take legal action because she felt she had no other options and was "very seriously considering" leaving teaching. A teacher for more than 25 years, Friedrichs says she has opted out of paying a politically directed portion of union dues for most of her career. She became a full member for several years to try to affect change from the inside while serving as a union representative.

"They didn't want to hear what I had to say," Friedrichs says. "It just came to the point where I felt totally helpless and hopeless."

In California, teachers can opt out of paying the roughly 30 to 40 percent of dues devoted to political lobbying, but they can't opt out of dues used for collective bargaining issues. In total, California teachers pay as much as \$1,000 annually in union dues, the plaintiffs say. They also argue it's particularly difficult to opt out of paying the politically directed dues because they must first pay the dues and then apply for a refund each year. Many teachers, they say, contribute hundreds of dollars to political activities they disagree with because the opt-out process is too complex.

The court has signaled that it would be open to hearing such a case. [In June](#), it refused to extend the precedent set by a 1977 case on forced union dues [to eight part-time home health care workers](#) in Illinois. In the majority opinion, Justice Samuel Alito said the court's prior analysis in *Abood v. Detroit Board of Education* was "questionable on several grounds."

The precedent set in that case allows unions to require nonmembers to pay fees for collective bargaining, as long as the dues are not used for ideological or political purposes. But collective bargaining issues, Alito wrote, are inherently political in the public sector.

"In the private sector, the line is easier to see. Collective bargaining concerns the union's dealings with the employer; political advocacy and lobbying are directed at the government," Alito wrote. "But in the public sector, both collective bargaining and political advocacy and lobbying are directed at the government."

The teachers are hoping that same argument will overturn the *Abood* ruling.

"We set it up to fit in the parameters the court itself suggested it would be looking for," says Terry Pell, president of the Center for Individual Rights, which is representing the 10 California teachers. "If we win, those teachers that disagree with the policies of their union – on really fundamental issues on things like tenure, merit pay and school choice – will be able to decide for themselves whether they want to financially support their union."

The plaintiffs' intent, Pell says, isn't to take down unions or attack collective bargaining, but rather to protect the First Amendment rights of teachers.

"The issues here are inherently political issues, and the First Amendment protects the right of individuals to decide for themselves what side of those political questions they're on," Pell says. "We think the court should give heightened scrutiny to these types of political disputes."

Teachers unions, on the other hand, have said collecting dues is an issue of fairness to prevent "free-riding." Following the Supreme Court's June ruling for Illinois workers, union leaders said they would work harder to protect agency fees. The National Education Association did not immediately respond to a request for comment.

"The First Amendment protects employees' rights to publicly or privately express their views and to associate with each other for such purposes, but it does not compel their public employer to recognize or deal with them, nor does it bar the employer from choosing to recognize or deal with others instead," the California Teachers Association wrote in a previous brief in opposition to the case.

It is constitutional, the association continued, for the state to say that "employees who do not choose to become union members, but who share in 'benefits of union representation that necessarily accrue to all employees,' ... do not have a right to receive the benefits of representation for free, but may be required to pay their pro rata share of the expenses thus incurred by their representative."

But in [a 2012 Supreme Court opinion](#), the justices ruled that unions' anti-free-riding argument would be "generally insufficient to overcome First Amendment objections."

"It certainly has to make public sector unions and their advocates pretty nervous," says Michael Brickman, national policy director for the Thomas B. Fordham Institute. "What we've seen in other states is when given a choice, many workers don't feel the dues are worth what they get in return."

After Wisconsin Gov. Scott Walker, a Republican, signed legislation in 2011 that limited collective bargaining, prohibited employers from collecting union dues and banned unions from automatically withholding dues from member paychecks, two major teachers unions in the state lost thousands of their members. The Milwaukee Journal-Sentinel [reported](#) the Wisconsin Education Association Council, a National Education Association affiliate, had lost about one-third of its 98,000 members, and membership in the American Federation of Teachers' Wisconsin affiliate decreased by 60 percent from its peak of 16,000 members.

Michigan and Indiana have passed similar laws limiting fee collection by public labor unions.

Ideally, Friedrichs says, she'd like to see a system in which nonmembers would not be forced to pay dues.

"I don't have a problem with unions," she says. "I understand a lot of people want to have that collective voice. That would be ideal where you have a choice; [you're] not coerced, but you're also not bullied or called a freeloader or some other name-calling because you choose not to pay for that."

In decades past, particularly after the Great Depression, Friedrichs says the idea of labor unions made more sense. But with the increased political nature of policy discussions, unions have "morphed into something very different now."

"They're more a political activist," Friedrichs says. "They've done more harm than good."

Friedrichs takes particular issue with some common union priorities in California, such as a continued insistence on higher wages, even in times of economic hardship, and more generous pension packages. Public schoolteachers in California [on average earned \\$69,324](#) in 2012-13, according to the California Department of Education.

The California Teachers Association is arguably the most influential political organization in the state, Pell says. [It spent millions](#) bankrolling the [re-election campaign](#) of Tom Torlakson, the state's superintendent of public instruction, against challenger Marshall Tuck, a charter school administrator who was backed by education reformers. In the end, the race was the most expensive in the state, totaling more than \$30 million in funds raised from both sides.

Unions at the national and local levels have also been vocally opposed to lawsuits in several states – including [California](#) and [New York](#) – challenging the structure of teacher tenure laws, saying they attack teachers' due process protections.

Overall, Friedrichs says she finds it ironic that as a nonmember, she has no vote in the collective bargaining process but still has to pay several hundred dollars each year for that purpose. Teachers unions, she and Pell say, have become what they were designed to fight.

"You just get the benefit of whatever they negotiate, whether you like it or not," Friedrichs says.



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