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POLICY BRIEF

EducationResearchAllianceNOLA.org

August 11, 2020

WHY DO SOME CHARTER SCHOOL TEACHERS TRY TO UNIONIZE?

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Overview

Corresponding technical paper: Huriya Jabbar, Jesse Chanin, Jamie Haynes, and Sara Slaughter. "Teacher Power and the Politics of Union Organizing in the Charter Sector." *Educational Policy,* 2019.

Teachers unions, in their current form, have been a part of public education in the United States for decades, but questions remain about their effects on student learning. Unions have faced longstanding criticism that collective bargaining agreements help maintain the status quo by limiting schools' ability to innovate and quickly make decisions that may improve student outcomes, like removing ineffective teachers. Charter advocates argue that the increased autonomy given to charter schools, which are typically not unionized, provides principals with the freedom and flexibility to make decisions that increase learning. On the other hand, union advocates argue that collective bargaining agreements improve working conditions, provide job security, enhance teacher voice, and guarantee fair pay, which helps to attract and retain the best teachers.

There has been little research done about how and why teachers have tried to organize unions at charter schools. In this study, we interviewed 21 charter-school teachers in New Orleans and Detroit who attempted, successfully or unsuccessfully, to organize fellow educators within their schools, as well as one charter-school teacher who opposed unionization efforts. We explored why teachers pushed for a union and how they described the school's response to their efforts. Our main findings are:

- The most common motivation for organizing was improving teacher retention and job security. Lack of pay transparency and equity (e.g. men and women being paid unequally), unsustainable workloads, teacher burnout and arbitrary firings were also major underlying concerns.
- Teachers also sought to improve the supports provided to vulnerable students and increase teacher leadership.

- The teachers we interviewed reported shock at the severity of school administrators' response to unionization efforts. Many alleged that administrators fired teachers who attempted to unionize or accused them of destroying the school "family."
- High teacher turnover and fear of being fired were major challenges that stymied attempts at union organizing.
- There were notable differences between Detroit, where many charters are for-profit, and New Orleans, where they are all non-profit. Detroit teachers saw low salary as a major issue and complained that they were lacking basic resources like textbooks. Teachers in New Orleans did not emphasize salary levels as a major issue but were concerned about pay transparency.

This study explores how some teachers in charter schools are re-framing arguments made in favor of unions by putting greater emphasis on how unions will help not only teachers, but also students, especially vulnerable populations such as English language learners and students with disabilities. These teachers argue that unions are not antithetical to the mission of charters, but in fact would strengthen charter schools by increasing stability and teacher retention. As more charter schools open in the U.S., understanding why some teachers want unions is crucial, as the role of unions has implications for the long-term future of charter schools and the career trajectories of teachers who teach in those schools.

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BACKGROUND

Teachers in the U.S. are highly unionized compared to other workers, but reforms in recent years have sought to weaken the power of these unions. Some states have narrowed the scope of collective bargaining rights. In this context, the last two years saw a wave of teacher strikes and walkouts across the U.S., particularly in conservative, right-to-work states. These events bring to the fore central issues around teachers' working conditions and the potential role of unions in improving education.

In the charter school sector, unionization is rare, as teachers have less experience and higher rates of turnover than their counterparts in traditional public schools. Though union leader Al Shanker initially argued for charter schools that would retain union contracts and empower teachers, rather than administrators, to make decisions about students' learning, charter advocates now argue that the freedom from restrictive collective bargaining agreements is one of the central benefits of charter schools, as leaders are able to break free of the status quo and make educational decisions without the limitations, delays, and politics introduced by union involvement. Union defenders, on the other hand, point out that unions have historically played a crucial role in improving working conditions, providing job security, giving teachers a voice on issues such as salary, work hours, and grievance policies, and guaranteeing fair pay for women and people of color.

Some charter school networks, such as Green Dot in California, were designed to embrace teachers unions, but these are not the norm. About 11% of charter schools nationwide have collective bargaining agreements, and there is little research

on the subject. Some researchers have examined the impact of charter school unions on student outcomes. There are also a handful of case studies describing union organizing efforts in individual charter schools.

Our work builds on previous research by qualitatively examining how charter school teachers in 12 schools across two U.S. cities framed their organizing efforts and viewed responses from administrators. We chose to interview teachers in Detroit and New Orleans because both cities have large numbers of charter schools, which in those cities are exempt from requirements to take part in collective bargaining agreements. Table 1 below offers comparable facts about the two cities. New Orleans holds the distinction of being the only school system in the country that is almost all charters. During the 2017-2018 school year, 82 out of 86 public schools were non-profit charters. Two of these charter schools had collective bargaining agreements; teachers in additional schools have voted to unionize, but the collective bargaining process is ongoing. Our other interview site, Detroit, is a larger city with slightly more than half of its public school students in charters, only two of which are unionized. A majority of its charter schools are run by for-profit companies.

Table 1: Comparing schools in New Orleans and Detroit, two cities with a large number of charter schools

New Orleans	Detroit
48,545 students in publicly funded schools	97,277 students in publicly funded schools
82 charter schools, 4 district-run schools in 2017-18	70 charter schools, 111 district-run schools in 2017-18
Student demographics: 80% Black, 9% white, 7.6% Latino	Student demographics: 83% Black, 2% white, 13% Latino
All charter schools are non-profit	The majority of charter schools are for-profit
Two charter schools have successfully negotiated a collective bargaining agreement	Two charter schools have successfully negotiated a collective bargaining agreement

In this study, we address three questions:

1. What are teachers' motivations for organizing charter unions, and what do they see as potential drawbacks?
2. How do teachers describe administrators' responses to union drives in charter schools?
3. How do teachers' motivations and their descriptions of administrator responses vary across schools, cities, and types of charter schools?

HOW DID WE CARRY OUT THE STUDY?

For this study, we conducted in-depth qualitative interviews with 21 teachers who currently or formerly worked at schools that attempted to unionize – 13 in New Orleans and eight in Detroit (see Table 2, next page). For added context, we also

had informal interviews with five other individuals, including three union organizers, one reporter, and one researcher who was an expert on the issues. We found interviewees through teachers' organizations and unions in each city, and by asking the respondents to recommend others we could speak to.

Table 2: Who did we interview?

	New Orleans	Detroit	Total
Total Teachers Interviewed	**13**	**8**	**21**
Current Teachers	6	3	9
Former Teachers	7	5	12
Experience Level			
5-9 Years' Experience	6	3	9
Less than 5 Years' Experience	1	5	6
Over 10 Years' Experience	6	0	6
Grades Offered at School			
Elementary/K-8	7	5	12
High School	1	1	2
K-12	5	2	7
School Network Type			
Network Charter	2	7	9
Stand-Alone Charter	11	1	12
School Non-Profit Status			
For-Profit Charter	0	3	3
Non-Profit Charter	13	5	18
Outcome of Union Effort			
Union Effort Failed	7	4	11
Union Effort Succeeded	6	4	10

The interviews were conducted between 2016 and 2018 and lasted approximately one hour each. Interviews took place in person or over the phone, depending on respondent preference, and were conducted using semi-structured interview guides. We transcribed the interviews and then analyzed them, looking for themes drawn from prior literature and themes that emerged during coding.

There are several limitations to this study. Our sample is heavily weighted towards teachers who supported the union drives. We recognize that this perspective leaves out the views of school administrators and other stakeholders. However, one goal of this work is to understand the motivation for organizing unions, and teachers who have been involved in the process are the ones who are most highly motivated. Furthermore, we were more successful in recruiting supporters of unions in each city; only one teacher who agreed to be interviewed was opposed to unionization efforts at the school in question. Therefore, our discussion around drawbacks to joining the union is driven largely by the perspectives of union supporters, including what they heard from their colleagues on either side of the debate.

WHAT ARE TEACHERS' MOTIVATIONS FOR ORGANIZING CHARTER UNIONS, AND WHAT DO THEY SEE AS POTENTIAL DRAWBACKS?

We identified five key issues that motivated teachers to try to organize unions in their schools: pay, job security, workload concerns, the desire for greater professionalism and improved leadership, and the desire to support students.

Table 3: Five key issues that motivated teachers

Motivation	Example Quote
Retention/Job Security	"Charter schools can just fire anybody for any reason. It doesn't matter, and there is no grievance process."
Workload	"There was literally no time to breathe."
Professionalism and Leadership	“We just were convinced that a lot of decisions may not be made in the best interest of kids or educators.”
Student Support	"We just felt like there wasn't a way we could advocate for our kids."
Pay fairness and transparency	"We are just kind of in this no-man's-land of negotiation, where you can go in and negotiate your own salary.”

Retention and job security were key motivations in both cities. Teachers described instances in which coworkers were fired because of personal disagreements with administrators, unverified parent complaints, or no apparent reason at all: “They would just fire people willy-nilly. We wouldn’t know why.” One teacher described a culture of fear at their school: “Charter schools can just fire anybody for any reason. It doesn’t matter, and there is no grievance process.”

Teachers framed turnover as an issue not just affecting workplace morale, but also the students and the school climate as a whole. Organizers also argued that unions are not detrimental to the charter system, but in fact help the charter system by increasing school stability and teacher retention. As one teacher said, “Particularly in a poorer area, you need an institution that’s gonna be stable, and without teachers’ unions, with the turnover and the morale destruction… This charter thing won’t work.”

The majority of teachers cited workloads as a major concern. Hours were long and “unsustainable,” leading to “burnout” and high turnover rates, especially for older teachers and teachers with families. Several teachers estimated they worked more than 55 or 60 hours per week. Teachers reported that they had no breaks in the day because they had to substitute for other teachers during their prep periods or monitor students at lunch: “There was literally no time to breathe or even go to the bathroom or make photocopies. The day was incredibly long.”

Teachers believed their concerns around workload had direct impacts on students: “Every effort around the union was for the kids. We were really student-centered.” They repeatedly emphasized that their desire to start a union was informed by concern for the students they taught and for the school as an institution, rather than solely about their own individual gain. One New Orleans teacher said unions were necessary because, “We just felt like there wasn’t a way we could advocate for our kids.”

Eight teachers discussed the need for greater professionalism and improved leadership at work. Teachers wanted the freedom to teach how they wanted, for example by focusing on project-based learning instead of standardized test preparation, or to differentiate lessons to better serve English language learners and students with disabilities. Teachers were frustrated "with the lack of teacher voice in any of the policies." One teacher, for example, pointed out that boys at their school could not wear earrings: "I think that's culturally inappropriate… But I have no say in that, and parents have no say in that."

"Teachers wanted the freedom to teach how they wanted, for example by focusing on project-based learning instead of standardized test preparation."

Teachers felt that administrators dismissed or ignored them when they brought up concerns individually and that decisions made in the school were based on favoritism. One teacher said, "The open-door policy was not true. I tried to get in to see our CEO multiple times, and [their] door was always closed." However, the one teacher we interviewed who opposed unionization argued that concerns over teacher voice were exaggerated. "My point was always, you have a voice," he said. "You're just not using it."

Teachers discussed almost every concern in the context of increasing student supports. Several teachers described their schools as having inadequate discipline structures and lacking resources for students suffering from trauma. Teachers wanted more social workers, given the lack of support for trauma, learning disabilities, and serious discipline issues. Other teachers were upset that administrators didn't back up their disciplinary decisions, thus undermining their classroom authority.

Four teachers across both cities additionally worried that English language learners and students with disabilities weren't being treated fairly – to the point that there were concerns over whether the school was following the law. "Kids' needs were not being met. Minutes were just disappearing from their IEPs [Individual Education Programs]. I mean it was just highly illegal," one teacher said. They worried that students were not receiving services they were legally entitled to due to staffing shortages. Teachers hoped that the union would allow them to better advocate for these students and ensure their needs were met.

Finally, transparency and fairness in pay was a central organizing priority in Detroit, where average teacher pay was much lower than in New Orleans. New Orleans teachers, in contrast, often distanced their campaigns from issues related to salary, for fear that discussing the topic would make them seem self-interested. One teacher even said, "Money was never an issue. We never talked about money."

In both cities, however, there was a concern over limited transparency in salary decisions. Some teachers were forbidden to discuss their salaries with their colleagues. Teachers who were good negotiators or friends with board members or administrators could get paid more; as one said, "We are just kind of in this no-man's-land of negotiation, where you can go in and negotiate your own salary."

The lack of transparency not only made it difficult for teachers to budget and plan for their futures, but also potentially cloaked discrimination. One interviewee discovered, for example, "a policy at the school of paying men just across the board more than women."

Although the teachers that we interviewed were largely pro-union, they expressed fears about unionization efforts as well. As the one interviewee who did not support unionization efforts said, "My fears were – and they were found to be true – that it was actually just gonna tear the staff apart. Which is exactly what it did." Interviewees said that some of their colleagues did not want to join the union due to negative experiences with unions in the past, because they saw unions as "detached" or not interested in charter schools, or because of the concern that unions would "fight for bad teachers."

Teachers were highly aware of negative stereotypes around unions, like the idea that they protect "bad teachers." "[It's] like tenure is a bad word," said one teacher, who instead emphasized the terms "job security" and "due process." Interviewees tried to rebut stereotypes directly: "No one is asking for guaranteed employment for life, and no one discussed anything about bad teachers staying on or not being able to fire a teacher," said one New Orleanian.

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To combat these stereotypes, organizers said that they were aiming for a new kind of collective bargaining agreement that could work within the charter framework. One union organizer noted: "The charter system allows for us to bargain for our specific school. So, we were very proud of the agreement we came out with because it was about [our school], because it was student specific." This framing could be viewed as a strategy to generate support for unions in the charter sector or a reality of the decentralized and ultimately weaker nature of charter school unions.

HOW DO TEACHERS DESCRIBE ADMINISTRATORS' RESPONSES TO UNION DRIVES IN CHARTER SCHOOLS?

Unsurprisingly, interviewees reported that school administrators framed the issues quite differently. As the teachers in our sample told it, administrators reminded them, "to a nauseating degree," that the school was a "family." Teachers recalled arguments like "the family would be destroyed if we were a union school" and "why would you start a fight within the family?" Union organizers, in contrast, were seen as "outsiders." But as one teacher noted, the family metaphor fails to take into account that "power is wielded inside schools. And the principal is your boss."

Many interviewees described an aggressive reaction from the administration. One Detroit teacher reported that both he and a colleague were fired two weeks after speaking at a board meeting about unionization efforts. At another school, a vocal organizer was dismissed following the vote to unionize. Without due process protections in place, "no one has any job security. We can be fired a ton in a row. For no reason." These responses are similar to those taken by management in response to union organizing efforts generally, including those outside of the education sector.

Nine teachers in New Orleans and five teachers in Detroit talked about how administrators used fear to disrupt union organizing. A teacher in New Orleans asked an organizer to "take my name off the petition" after teacher firings in the middle of the year: "You don't want to be the next person to be gone." Even the teacher who was opposed to unionization

was afraid: “I was also fearful of the clap back that would come from the administration, which I knew was inevitable. They were coming down harder on teachers. People were being written up. Particularly people that were a part of the union.”

Interviewees also described how administrators created an atmosphere of surveillance: “The feeling of the walls have ears is very very genuinely true, a hundred percent,” said one teacher. At a school event in New Orleans where union supporters wore their “union buttons,” a teacher said that “the administrators were walking around with clipboards, clearly writing down names.” In Detroit, union supporters arrived to school to find that, “all of a sudden, our key cards didn’t work on the day we were gonna vote, so everyone had to go through the front door; there was the principal and the assistant principal being like, ‘Good morning! Let me walk you down the hall.’”

Administrators could leverage rewards as well as threats, according to interviewees. One teacher admitted: “They subdued me. They bought me a printer for my room.” The New Orleans teacher who did not support the union noted “when I became a vocal non-supporter, suddenly [the principal] and I were besties.” Teachers described these conciliatory appeals to teachers as less common than punitive ones.

> *“Turnover was the single most-cited obstacle to unionizing. It’s like ‘organizing in quicksand,’ one organizer said.”*

Turnover and instability were some of the main factors that motivated organization efforts – and among the primary issues that stymied them. Turnover was the single most-cited obstacle to unionizing. It’s like “organizing in quicksand,” one organizer said. Another said: “You lose everyone, and you start over.” Teachers planning to leave the school were less likely to engage in a union fight: “I’m trying to get a new job, anyways, so I don’t want to make the decision for other people.”

Some teachers believed that turnover in the charter sector was by design, to make it impossible for teachers to organize. “I think most charter schools probably work kind of this way to intentionally curb any efforts to do organizing,” one Detroit teacher said. Another Detroit teacher asserted that the principal purposefully delayed having conversations around salary: “Just stall. And then next year a bunch of staff will be gone.” Even when unions ultimately won those battles, few of the teachers involved remained in subsequent years.

HOW DO TEACHERS’ MOTIVATIONS AND THEIR DESCRIPTIONS OF ADMINISTRATOR RESPONSES VARY ACROSS SCHOOLS, CITIES, AND TYPES OF CHARTER SCHOOLS?

For the most part, teachers in New Orleans and Detroit talked about similar issues, but there were a few notable differences between the two cities. In Detroit, there was a greater feeling of exploitation. Many of the charter networks in the city were for-profit, and teachers in charter schools perceived that they were paid less than district teachers (a lack of data on the topic makes this difficult to verify). Detroit teachers described their schools as underfunded and lacking basic supplies like curricula, materials, and textbooks.

In contrast, charter schools in New Orleans are all non-profit, which means that, unlike for-profit charters, they may not have the same incentive to cut costs or pay lower salaries. We found that New Orleans teachers did not make salaries a

major focus. Although transparency and salary equity issues were raised, New Orleans teachers saw their schools as better resourced and instead focused their demands on more other improvements such as the need for teachers to have more voice and greater influence over school policies.

The larger political and social contexts in Detroit and New Orleans affected teachers' ability to organize and their perceptions of unions. Both states have right-to-work laws, but Michigan, home of the powerful United Auto Workers, offered a relatively pro-union context. As one teacher said, "I think the parents that we have in Detroit are generally very pro-union. Detroit is a union town." Charter school teachers in the Michigan city organized with the Detroit Federation of Teachers; since this union still represented teachers in many traditional public schools, this alliance gave them a stronger base.

Louisiana, by contrast, has little history of industrial unionism, and today ranks near the bottom of all 50 states in terms of the percentage of the workforce that is unionized. Some teachers also hold negative views towards the United Teachers of New Orleans (UTNO) union. One teacher explained the negative stereotypes she heard about UTNO: "[We were told that] UTNO teachers were lazy and all the negative stuff. And I think that it's made the union be like this dirty word." UTNO represented all New Orleans public school teachers before Hurricane Katrina, but after the storm, the union's collective bargaining agreement was not renewed and every public school employee in New Orleans was fired. Though some teachers in New Orleans applauded UTNO's history, others maligned the union for its failure to protect teachers from their mass dismissal.

Because of the negative views about unions, teachers in New Orleans were more likely to discuss the union as tailored to their school and not "beholden" to a national or citywide model, whereas Detroit teachers were less conflicted about taking part in citywide unionization efforts and more likely to see themselves as part of a larger labor movement. Interestingly, in New Orleans, teachers we spoke with only attempted to organize unions at standalone charter schools, not schools that were part of larger networks, where teachers would face additional challenges organizing across schools. These standalone charter schools were also authorized by the local school board, and teachers in these schools may have had more experience with unions pre-Katrina.

> *"Because of the negative views about unions, teachers in New Orleans were more likely to discuss the union as tailored to their school and not 'beholden' to a national or citywide model."*

CONCLUSION

In both Detroit and New Orleans, teachers' concerns often transcended the "bread and butter" issues of most union contracts. Teachers wanted more autonomy, voice, and control over what they taught, greater opportunities for decision making, and the resources and staff to meet the needs of their more vulnerable students. Teachers emphasized that their goal was to create a stable school environment that would help their students learn. Many teachers came to education because of a belief in social justice and equity, and they turned toward unionization to put those ideas into action when they felt that their school fell short.

Our work also sheds light on the tactics that charter schools use to discourage teachers from supporting unionization efforts. We heard from teachers that administrators stoked workers' fears about unionization, either explicitly around potential job loss or the school closing, or by saying that unionization would introduce conflict and tear apart "the family." Teachers reported aggressive administrative responses to unionization campaigns, including stalling tactics and firings. These strategies were effective precisely because of high turnover at the schools; if administrators could push back the union vote, they could count on a significant portion of faculty to leave at the end of the school year—or not offer them positions for next fall.

Educators are working to meld the ideology behind charter schools with both traditional and new ideas about the purposes of teachers' unions. As the charter sector continues to grow, understanding why teachers want unions and how those unions differ from traditional public school unions is crucial to analyzing the long-term viability of charter schools and the career trajectories of the teachers who work in them.

Our work suggests that teachers seeking a union don't care solely about salary or benefits. Further research could help illuminate associations between unions and teacher retention using additional measures such as teachers' reported job satisfaction, opportunities for leadership, and perceptions about how well a school is serving vulnerable students.

How is this Research Related to Other ERA-New Orleans Studies?

This research builds upon previous ERA-New Orleans studies that examine the teaching profession in New Orleans:

In *Do Charter Schools Keep Their Best Teachers and Improve Quality? Retention and Rewards for Teachers in New Orleans*, Nathan Barrett, Deven Carlson, Douglas N. Harris, and Jane Arnold Lincove find that low-performing teachers are 2.5 times more likely to leave their school than high-performing teachers, compared with only 1.9 times in similar neighboring districts. This suggests, as charter advocates say, that charter schools have more flexibility and ease in removing teachers.

In *Teachers' Perspectives on Learning and Work Environments under the New Orleans School Reforms*, Lindsay Bell Weixler, Douglas N. Harris, and Nathan Barrett survey teachers who worked in New Orleans both before and after Hurricane Katrina. Returning teachers reported lower satisfaction with their jobs, less job security, less autonomy over their work, and longer work hours. However, they also reported stronger school cultures and better support for teachers.

In *When Tenure Ends: Teacher Turnover in Response to Policy Changes in Louisiana*, Katharine O. Strunk, Nathan Barrett, and Jane Arnold Lincove examine the effects of the removal of tenure in Louisiana public schools. The rate of teachers who left their jobs increased by 1.5 percentage points per year, with the highest effects in the schools with the lowest test scores.

About the Education Research Alliance for New Orleans

The mission of the Education Research Alliance for New Orleans (ERA-New Orleans) is to produce rigorous, objective, and useful research to understand the post-Katrina school reforms and their long-term effects on all students. Based at Tulane University, ERA-New Orleans is a partnership between university-based researchers and a broad spectrum of local education groups. Our Advisory Board includes (in alphabetical order): the Louisiana Association of Educators, the Louisiana Association of Public Charter Schools, the Louisiana Federation of Teachers, the Louisiana Recovery School District, New Schools for New Orleans, the Orleans Parish School Board, the Orleans Public Education Network, and the Urban League of Greater New Orleans. For more information, please visit the organization's website.

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