



UTLA Unionization Campaign at Alliance Schools FAQs for Alliance Educators & School Community

Since the inception of Alliance College-Ready Public Schools 11 years ago, one of our five core values has been to guarantee highly effective educators for all students. As such, we have dedicated significant focus, time and resources to attract, develop and retain the very best teachers. We pride ourselves on working collaboratively with teachers, supporting their creativity and innovation in the classroom, and providing multiple leadership and professional growth opportunities.

Our collaborative relationship among teachers and between teachers and administrators is at the core of our success as one of the highest performing public school networks in the country. We are most proud of our shared commitment to serving low-income, students of color in some of our most underserved communities. It is not easy work, but together we have and will continue to defy the odds and prove the exceptional public education is possible for all students.

Given the recent activity by United Teachers of Los Angeles (UTLA) to organize Alliance teachers into their union, we feel it is our responsibility to inform our teachers and school community about the potential impact of unionization with UTLA.

In response to the many questions we have received regarding the UTLA campaign at Alliance, we have put together some Frequently Asked Questions (FAQs).

Who is UTLA?

- **FACT:** UTLA is the union that represents 31,000 teachers and certificated employees in Los Angeles Unified School District (LAUSD). UTLA's activities are funded by union dues. Member dues for UTLA are \$689 per member annually. Union dues also go to UTLA statewide and national union affiliates¹.
- **FACT:** Alliance Educators United is a group of some teachers at some Alliance schools with backing from UTLA who want to form a union at Alliance with UTLA. They do not legally represent any Alliance teachers. The Alliance Educators United organization, website and materials do not represent Alliance College-Ready Public Schools.

What is UTLA's position on charter schools?

- **FACT:** UTLA and its statewide and national affiliates have a consistent track record of attacking charter schools.
- **FACT:** UTLA's own Proposed Charter School Policy states "UTLA does oppose the vast majority of charter management organizations and other charter entities, which represent an attack on our schools, our unions, our students and our communities." On the UTLA website, part of the argument for increased dues includes the ability to hire additional union staff for "fighting charters"².
- **FACT:** UTLA has spent more \$541,000 to support LAUSD Board Member Bennett Kayser who vigorously opposes charter schools³. The UTLA-backed-Kayser has voted to deny the renewal of ten Alliance schools, including three of LA's top performing schools: **Alliance Gertz-Ressler High School,**

¹ <http://www.utla.net/>

² <http://www.utla.net/>

³ <http://laschoolreport.com/3-la-unified-board-incumbents-heading-into-may-runoffs>

Alliance Dr. Olga Mohan High School and **Alliance Environmental Science High School**, among others. Kayser also voted to deny petitions to open three new Alliance schools⁴.

- **FACT:** UTLA has vigorously opposed giving new district facilities to charter schools through LAUSD's Public School Choice process⁵. For example, UTLA opposed giving space to **Alliance Tennenbaum Technology Family High School**.
- **FACT:** The current UTLA President Alex Caputo Pearl has demeaned charter schools and their teachers in public statements, saying "[The charter movement] has turned into trying to set up an alternative to the public system that is essentially a race to the bottom around student access... I don't see a lot of value in them."⁶

Can UTLA use union member dues to support legislation opposing charter schools?

- **FACT:** UTLA and its statewide union affiliates, the California Teachers Association (CTA) and the California Federation of Teachers (CFT), routinely use member dues to support legislation opposing charter schools.
- **FACT:** UTLA opposes Proposition 39, which ensures that public school facilities are shared fairly with charter school students. UTLA has a formal policy that states "UTLA should work to overturn Proposition 39 because of the negative effects it has on public education in general, and on the neighborhood school specifically."⁷
- **FACT:** The CFT backed Assembly Bill 917 would amend the state's education code to make it more difficult for charters to secure petition signatures to start new schools.⁸
- **FACT:** The CFT-sponsored AB 401 last year would have imposed a cap on new charters through 2017.⁹
- **FACT:** The CTA-sponsored AB 1172 creates more opportunities for a school district to deny a charter petition, including if a charter school would have a negative financial impact on the district.

Why is UTLA trying to organize our teachers into its union when it has consistently opposed charter schools?

- **GREAT QUESTION.**
- **FACT:** In the most recent anonymous Alliance school staff-wide survey conducted in November 2014, Alliance school-based staff felt overwhelmingly positive about their working conditions¹⁰.
 - 91% of staff agreed or strongly agreed, "Overall our school environment is very positive."
 - 94% of staff agreed or strongly agreed, "The school supports my professional growth and development."
 - 93% agreed or strongly agreed, "I am valued as an employee."
 - 92% agreed or strongly agreed, "The principal uses performance evaluation that is transparent and fair."
 - 89% agreed or strongly agreed, "My voice is respected in the decision-making process at the school."

⁴ For record of school board votes on charter schools, contact the LAUSD Board Secretariat by calling 213-241-7002 or e-mailing jefferson.crain@lausd.net

⁵ <http://www.utla.net/scarchive>

⁶ <http://www.latimes.com/opinion/la-oe-morrison-caputo-pearl-20140908-column.html#page=2>

⁷ http://www.utla.net/system/files/UTLA_Charterschool_policy.pdf

⁸ <http://www.city-journal.org/2013/cjc0906ls.html>

⁹ <http://calwatchdog.com/2013/08/30/ab-917-would-send-charter-schools-to-the-back-of-the-class/>

¹⁰ <https://plus.laalliance.org/Data/Analysis/SitePages/Home.aspx>

- **FACT:** UTLA has been trying to organize Alliance teachers for several years. They have stated so publicly and have funded those efforts, including visiting many of our teachers at their homes.
- **FACT:** Unions want to maintain and grow dues paying members. On the UTLA website, they state their goals are “protecting our retirement security from the destabilizing forces, such as charter schools, which are pulling teachers from the system, meaning fewer teachers are paying in¹¹.”
- **FACT:** Unionizing charter teachers expands UTLA’s power and economic base. If Alliance teachers joined UTLA, it would generate more than \$400,000 annually for the union, some or all of which could be used to further efforts to hurt charter schools.
- **FACT:** UTLA is in protracted negotiations with LAUSD. Organizing teachers at the Alliance charter network provides the union a negotiating tool with LAUSD. UTLA sent a press release to 500 LAUSD central office staff and media outlets announcing that they are attempting to organize the Alliance.

What is UTLA’s track record?

- **FACT:** UTLA has been unable to reach a contract agreement with LAUSD. They have not had a new contract since 2011. UTLA is the ONLY bargaining unit (union) that has not reached (or nearly reached) an agreement with LAUSD.¹² According to the UTLA website, “If mediation is unsuccessful, the process moves to fact-finding, after which time UTLA can legally strike.”¹³
- **FACT:** Teachers represented by UTLA at LAUSD have seen no pay increase for the last 8 years¹⁴. Last year, in 2014-15, Alliance teachers received an 8% pay raise without a union. In addition, 99% of Alliance teachers earned a pay bonus based on performance.
- **FACT:** UTLA has not been able to prevent lay-offs at LAUSD over the past several years. The LAUSD Board just voted for another 609 teacher lay-offs¹⁵. Alliance has never implemented an organization-wide reduction in force.
- **FACT:** UTLA has not secured smaller class sizes at LAUSD. The LAUSD 2014-15 budget shows that average class size at middle and high schools is 34 to 42.5 students depending on demographics¹⁶. The Alliance 2014-15 school budgets are based on an average class size of 30 students.

What does unionization guarantee for Alliance teachers?

- **FACT:** Joining the union guarantees teacher collective bargaining. Nothing else¹⁷.
- **FACT:** Joining the union does not guarantee increased pay, benefits and any other working conditions. Every item must be negotiated. It may result in less, the same or more than you have now. If it is the same or less, then remember that you will have lost because of the obligation to pay dues¹⁸.
- **FACT:** The union creates a barrier to the collaborative working relationship of teachers with their administrators. Teachers would no longer have the ability to consult with their principal on basic employment issues. In unionized workplaces, only one appointed employee union representative can speak or negotiate on behalf of staff with their supervisor about employment related issues covered in the

¹¹ <http://www.utla.net/node/1163>

¹² http://www.utla.net/system/files/LAUSD_Letter_from_Cortines_%20012615.pdf

¹³ <http://www.utla.net/impassedeclared021815>

¹⁴ <http://www.utla.net/media/ralliesdailynews>

¹⁵ <http://laschoolreport.com/la-unified-board-and-tough-realities-deficit-layoffs-and-charters/>

¹⁶ <http://achieve.lausd.net/cms/lib08/CA01000043/Centricity/Domain/123/FINAL%20BUDGET%206-13-14%20859AM.pdf>

¹⁷ National Labor Relations Act, Section (8)(d), and Educational Employment Relations Act, Section 3543.2(b) – (e)

¹⁸ Educational Employment Relations Act, Section 3543.2(b) – (e)

contract¹⁹. In the UTLA agreement with LAUSD, the UTLA appointed Chapter Chair at each school is the “exclusive local representative of the faculty in matters relating to enforcement or administration” of the UTLA contract with LAUSD²⁰.

- **FACT:** Joining UTLA guarantees teachers have to pay dues. Current UTLA dues are \$57.42 monthly or \$689.04 annually. Dues are used for salaries of UTLA, CTA and national union staff. Dues are also used to fund legislation and back political candidates, often those that oppose charter schools²¹.
- **FACT:** There are rules that union members must follow which are found in the NEA’s constitution and UTLA’s by-laws. Union rules generally include the right to discipline members for violations (typically through fines). These union rules are a binding contract between the union and its members²².

What does unionization mean for Alliance schools?

- **FACT:** The union, not the teachers and other employees, decides what to propose in negotiation.
- **FACT:** If and when a union contract goes into effect at a school, all teachers at that school are covered, whether or not they signed a card or voted for the union; there is no “opting out.”
- **FACT:** The 2008-2011 UTLA contract agreement with LAUSD is 349 pages and governs almost every aspect of teacher behavior and school organization. To see UTLA contract agreement with LAUSD, go to www.utla.net

Why do Alliance schools not have a union?

- We intentionally were founded as a network of charter schools to provide our teachers with the space to be creative and innovative professionals who are dedicated to serving low-income students in disadvantaged communities throughout Los Angeles. We believe in the promise of charter schools – in exchange for higher levels of accountability for student academic achievement, we are granted autonomy and independence from the bureaucracy of traditional districts and, yes, the bureaucracy of unions. Because we have the freedom to continually innovate, learn and improve, we can meet the needs of individual students and provide all students the very best education. We feel that unionization can and will fundamentally put at risk our core values, our collaborative working environment, and most importantly, the flexibility and autonomy that has allowed us to become one of the highest performing public school networks in the country.

As a teacher and employee, what are my rights?

- **FACT:** Teachers have the right to decide for themselves, free from coercion, whether they want—or don’t want—to be represented by a union. If you do not want to sign anything, you do not have to do so. Do not sign any petition or authorization card without having all the facts.
- **FACT:** The union can say or promise anything to get you to sign. The union can even lie or mislead you and your signature will still be valid!²³
- **FACT:** A union authorization card is a binding legal document, which gives the union the exclusive right to speak on your behalf in the workplace. It is similar to a power of attorney or a blank check. A signed

¹⁹ National Labor Relations Act, Section 9(a), and Educational Employment Relations Act, Section 3543(a)

²⁰ <http://www.utla.net/contracts>

²¹ <http://www.utla.net/dues>, and referenced legislation throughout this document.

²² <http://www.utla.net/constitution>

²³ There is no statutory provision prohibiting misrepresentations by a union or rendering a signed authorization card invalid because the employee signed in reliance upon misrepresentation.

card can result in unionization without an election. Teachers need to get facts first before signing anything²⁴.

- **FACT:** Signing an authorization card now could deprive teachers of an opportunity to make a choice later. UTLA must have at least 50%+1 of certificated teachers and counselors signing official union authorization cards. In California this is done without an election. If over 50% of teachers sign the card, then collective bargaining goes into effect for all teachers, regardless of whether or not they signed. There is no opting out²⁵.

I signed something after a union representative told me it was “just to get information” and I found out that I signed an authorization card, can I get it back?

- **FACT:** Unfortunately, the law permits a union representative to say just about anything to get you to sign a legally binding document. If you signed something and later changed your mind, you can and should send a letter to the union asking them to remove your name. If you choose to rescind your signature, indicate your name and which Alliance school. Make a copy for yourself and send a copy to UTLA, 3303 Wilshire Blvd 10th Floor, Los Angeles CA 90010.

How did the union get my home address? Did the Alliance give it to them?

- **FACT:** Absolutely not. The Alliance would never share your personal information with anyone unless required to do so by law. We do not know how the union got your address and doubt they will ever disclose that information. It is certainly a good question to ask the union representatives.

I have been visited at home by a union representative. Do I have to talk to them?

- **FACT:** You have a right to tell these paid representatives of the union that you have no desire to talk to them. You can tell them to leave you alone. Again, a person’s right to not support the union is equal to that of the person who supports the union.

Finally, we want to make sure that you are clear that none of us can coerce, intimidate or retaliate against any teacher for their position on unionization – in any way. Not only is it illegal, but it is also not the culture of our organization.

Most importantly, we encourage all staff to stay focused on our priority, which is providing our students with the highest quality education. At the end of the day, that is why we are all here.

This document has been reviewed by legal counsel for accuracy.

GET ALL THE FACTS.

EDUCATE YOURSELF BEFORE SIGNING ANYTHING.

ONCE UNIONIZATION OCCURS, IT IS VERY DIFFICULT TO REMOVE THE UNION.

FOR UPDATES AND ADDITIONAL FACTS, GO TO <https://plus.laalliance.org/>

²⁴ National Labor Relations Act, Section 9(c) and National Labor Relations Board Rules & Regulations Manual, Section 101.17, and Educational Employment Relations Act, Section 3544 (a)

²⁵ Educational Employment Relations Act, Section 3544 (a)