



What is... The Taylor Law/ Collective Bargaining



In a nutshell

- A 1967 NYS law which guarantees fair processes for negotiating public sector contracts
- Allows unions to negotiate contracts on behalf of members

History

Collective bargaining is the process in which a union (or representatives of a group of employees) negotiate conditions of employment, including (but not limited to) wages, benefits, evaluation, and grievance procedures.

Collective bargaining was established for private sector employees by the National Labor Relations Act (aka the Wagner Act) of 1935. New York State extended collective bargaining rights to teachers with the 1967 Taylor Law (formally called the Public Employees Fair Employment Act).

The Taylor Law was a *quid pro quo*: it guarantees teachers basic labor rights, namely, the right to organize and bargain collectively, while simultaneously restricting the ability to strike. In addition to establishing basic rights, the Taylor Law also establishes impasse procedures to resolve bargaining disputes, defines and prohibits improper practices by public employers and unions (e.g. striking), and establishes the Public Employment Relations Board (PERB), a state agency which administers the law. PERB will mediate and resolve bargaining disputes which cannot be resolved at the local level.

If public employees strike (in violation of the law), districts may impose a two-for-one penalty: an employee will lose two days' pay for every day on strike. Districts may also petition courts for injunction against teachers which could result in fines, jail sentences, and discipline or removal for misconduct.

The Taylor Law prohibits districts from: interfering with, restraining, or coercing employees from participating in unions; discriminating or interfering with unions, discriminating against employees involved in unions, and refusing to negotiate in good faith

What Critics Say

Critics of collective bargaining argue that it...

- Costs districts money by inflating salaries and benefit packages
- Gives too much power to unions
- Protects teachers' interests, not community or childrens'

What We Say

We argue that collective bargaining...

- Maintains a balance of power between employers and employees
- Protects academic freedom
- Prevents teachers from arbitrary decisions
- Ensures due process and fair working conditions

The Bottom Line

Do you want to negotiate your own contract? Do you want 40 students in a class? Do you value due process or want arbitrary workplace discipline? Do you want to give up your sick days? Do you want to give up your voice in your evaluation procedures? Do you value being able to exercise professional judgment? Do you like your benefits? Collective bargaining protects all of this.