

2009 CCPRC Annual Meeting
Breakout B-4
Thursday, October 29, 2009, 2:15 p.m. – 3:45 pm

Unionization in Child Care

Description

This session on unionization: 1) examined the key research questions of interest regarding unions; 2) explored how information might be gained from ongoing research activities to inform CCDF policy-makers and practitioners and researchers; and 3) examined research conducted on K-12 unionization that could inform early childhood education policy. Specifically, education researchers presented research and discussed what is currently known about the impact of unionization on educational organizations. A State CCDF administrator provided a State perspective on unionization including emerging research questions.

Among the challenging issues discussed were: whether and how collective bargaining pay increases might be linked to quality; what unions are doing to improve quality; the pluses and minuses of involving child care policy and program staff in collective bargaining processes; and how issues such as these may vary across States.

Moderator

Richard Brandon, University of Washington

Panelists

Susan Johnson, Harvard Graduate School of Education
Linda Saterfield, Illinois Department of Human Services

Scribe

Megan Fletcher, Child Trends

1. Documents in Session Folder

- “K-12 Unionism and Collective Bargaining: Distinctive Features,” Susan Johnson.
- “Unionization in Child Care: The Illinois Perspective,” Linda Saterfield.

2. Summary of Presentations

- *Introduction: Richard Brandon*
 - Similarities between K-12 and preschool:
 - Ultimately about learning and development of children and students.
 - Millions of educators in each (2.2 million in early learning; 3.6 million in K-12).
 - Both groups of teachers are perceived to be underpaid.
 - They both have no or minimum profits (public and non-profits).
 - Differences:
 - K-12 has established professional development, standards, and support.
 - Early childhood has a more heterogeneous population of workers. The ECE workforce is more heterogeneous with regard to both characteristics (racial-ethnic

and education levels) and work setting (centers, FCC and FFN arrangements), as opposed to the mostly standardized public school system.

- K-12 wages are two-to-three times higher than those of early childhood workers.
- There is a high public regard for K-12 teachers, but there isn't the same trust in early childhood teachers or systems.
- The primary unit of bargaining in K-12 is the local school district (taxing society), whereas funding for early childhood education is mostly private.

- **Summary of Presentation #1: Susan Johnson**

- *K-12 Unionism and Collective Bargaining: Distinctive Features.*
- Methods and strategies of research from what we know and learn in K-12 suggests implications of findings for research.
- Profound difference—in K-12, local unions and school boards negotiate the contracts.
 - State doesn't have formal roles. Assistance can come from States if locals want it, but it is at local discretion.
- Local union president and school superintendent: Key labor relationship.
 - Implications: Very difficult to study impact of collective bargaining on schools and teachers, and how they operate day to day, without getting close to their environment.
 - Initial research was quantitative by economists.
- Bilateral and Interest Based Bargaining are both used:
 - Sitting in on bargaining is difficult to get access to.
 - Living contracts: dates of bargaining and signing are available, but contracts are renegotiated in an ongoing way, addressing certain provisions.
 - Examples: Salaries are negotiated and renegotiated annually. Other working conditions are also negotiated.
 - Contracts cover wages, benefits, layoffs, transfers, hours, and working conditions, which are often broadly conceived.
 - Many contracts are now available to be read online.
 - Tenure is *not* in bargaining; it's a State mandate.
 - Calendar is left to the school board.
- Industrial unionism has limited value in school improvement.
 - Improvement of schools is not typically introduced through confrontational means. Strikes tend to be unproductive on both sides.
- Reform is challenging to introduce and sustain and is contrary to most people's idea of the purpose of a union.
 - Typically two groups of teachers: Those near retirement and those in the first 10 years of teaching. These two groups have different priorities, which is challenging.
 - Most new teachers don't read their contracts and overlook the implications of provisions.
- Predictions were that we would move to a unified contract for all, but this hasn't happened.
- Local districts often bargain beyond legal scope defined by State, but nobody contests.
- Many contract provisions are difficult or impossible to enforce.

- Grievance procedures have limited value in resolving complaints--affordable and clear resolutions are now used.
 - Collective bargaining has raised wages by about 10%. Other States and districts often try to match; therefore, it's hard to isolate effects.
- **Summary of Presentation #2: Linda Saterfield**
 - *Unionization in Child Care: the Illinois Perspective.*
 - Illinois has collective bargaining agreement for early child care providers. The Service Employees International Union (SEIU) is the representative.
 - In Illinois, family home providers are licensed for more than three and up to twelve children.
 - Major provisions are noneconomic and economic.
 - Non-economic--Access to data:
 - Monthly reports detailing payments by provider.
 - Number of children billed.
 - Number of days of care.
 - Amount of payments.
 - States send information to every new provider.
 - They don't generally have an association if they work out of their home, so a way to keep in touch across the State was needed.
 - Required training.
 - Grievance procedure. Only 6 over 39 months, and none were substantiated.
 - Economic:
 - Four rate increases.
 - Quality Rating System (QRS) based on Child Care Advisory Council: Negotiated into agreement (that's how QRS started).
 - Health insurance.
 - Unanticipated benefit: Center providers aren't covered by the bargaining agreement, but lobbyists successfully argued that centers should get the same economic provisions as home providers as well as QRS.
 - Measuring the impact of unionization:
 - Workforce: Are there more day care homes? Slight increase, but there is a drop from 2006.
 - Access: Are parents better able to access care? Number of providers has decreased.
 - Economic: Are home providers better off? Slight improvement (fewer hours, earning slightly more).
 - Great START: More providers are participating, getting higher education, and remaining longer.
 - Quality: Improvement in quality of care? More providers are not involved in training. However, licensed exempt home providers are up.
 - Negotiating team makes a difference. Many are used to the traditional give and take; tend to negotiate like they do with employees.
 - What do unions do with the money? We don't know.

- Health Coverage: Cover up to 5,000 enrollees.

3. Summary of Discussion with Presenters and Participants

- A question was asked about whether there is any evidence that union members want what they have in the contract. The presenters pointed out that the K-12 process is so different. A district doesn't become unionized unless there is teacher endorsement. There is an argument to be made about whether unionization is good for kids and teachers.
 - Many new teachers don't see evidence of what it was like before the union, so they regard the contract as a right that comes with the job. New teachers are less supportive of the union until something bad happens.
- A question was asked about whether there are requirements in K-12 that union dues be used for professional development. The presenters replied that the answer is no. The expectation is that dues support negotiations (local, lawyers, State, National). Sometimes National and State lobbying that the teachers don't agree with is done with funds and teachers can get deductions to take back that portion of money. Teachers see money for dues as "gone," and they join because they want someone to stand up for them in case they are sued. Both State and local district K-12 budgets usually contain substantial sums to support professional development, though they are usually not clearly identified.
- K-12 unions have been around longer than unions for early childhood. Question was asked about whether there is a difference in the impetus for early childhood unionization as compared to K-12 unions. The presenters said that K-12 unionization was very confrontational in the beginning.
- What's the effect of bargaining with the State from the provider's perspective (as compared with local bargaining in K-12)? The presenters replied that even from initial bargaining, K-12 did not bargain with the State; they bargained with local districts. However, K-12 teacher unions are very active politically and affect the State context in which local bargaining occurs, from overall funding level to teacher certification requirements.
- Also, working conditions for most K-12 teachers is incredibly important, but individuals doing home care tend not to want working conditions addressed, because they are created by the provider. For example, home care workers might not want the number of kids served to be addressed because they can earn more money with more kids, whereas teachers want smaller class sizes.
- Discussion about whether there is transparency related to money spent at the local, State, and National levels: Does the bargaining agreement specify how the money can be spent? One presenter replied, "I don't know of any contract that specifies how the union spends dues money, because it's between the union and the school district, not the union and the teachers." Another presenter said that even asking "What are you doing with our money?" is a phenomenon among new teachers rather than older teachers. In Illinois, the union tried to include preschools in the negotiations—the union even agreed to pay the cost for providers to join the registry—but it was negotiated away. Most providers who are represented by SEIU don't know it. The turnover in the union is high; probably 70% aren't still members from the beginning.
- The impact on pay and rates, and the increasing pressure to begin linking finances to quality (QRS, tiered reimbursements, market rates, etc.) was discussed. Presenters said that unionization cuts across single pay scales versus pay for performance. One presenter

stressed the importance of “pay for performance,” saying there is “No more dynamic and controversial issue in education right now, and it has not been resolved.”

- A discussion ensued about QRS and how the union was part of the process that developed the concept. Participation in QRS has been low because providers could continue what they were doing on day one and still get four rate increases, no matter what. People also were reluctant to have someone come into their home and observe them. For example, if an exempt caregiver goes through all three levels of QRS, they get a 10-15% rate increase. They are also building relationships and getting more information than non-exempt caregivers.
- The point was made that university researchers may not research the things that matter to professionals. Researchers need to ask professionals what kind of data they want to know overtime. It’s challenging, and data (e.g., case studies, contract documents, and meeting minutes) must be collected from the beginning. What are the long-term objectives and how will we know if unionization is advancing those or not? The suggestion was made to put some money toward documenting the early childhood unionization process. One presenter suggested that a lot was lost in the K-12 unionization process because there were important things in addition to wages that weren’t tracked.

4. Key Themes and Issues

- There are similarities and differences between K-12 and early childhood education.
- A key difference is that K-12 bargaining mostly occurs at the local district level, even though teacher union political activity affects the funding context in which bargaining occurs.
- Bargaining agreements tend to build on one another: 1) track and be mindful of changes; and 2) pay attention to who writes the language? Lawyers may not know how child care and early education programs work.
- Recognize the complexity: family, State, and National and the cultural implications of these levels.
- There is no one thing in unionization, study the variations and the interplay in contracts, levels, rates, tiered reimbursement, financial issues. Climate is important to success and negotiation process.