



5 examples of government union power over the people, and 2 solutions to fix the problem

By Mailee Smith, Staff Attorney

Government worker unions have tremendous power in Illinois.¹ Rather than serving the public, the role of government workers has warped into the ability – via their unions – to control the lives of residents.

Labor experts calculate that Illinois' collective bargaining laws inflated state and local government costs by \$4 billion to almost \$9 billion dollars in 2014 alone.² But there is more than just a financial cost. There is also a day-to-day toll on residents.

That is why government worker unions were never meant to exist. The ability to demand increased wages and benefits – while threatening to withhold important government services – amounts to nothing less than a form of legal extortion.

That sort of militant action was condemned by President Franklin Delano Roosevelt.³ Even early union leaders warned against the unionization of government workers.

But states like Illinois did not take heed of those early admonitions. Now, government workers can control the everyday lives of taxpayers – from whether students can get bused to school to whether residents can get government services when they need them.

Five examples illustrate the impact of this power on Illinoisans' everyday lives.

The American Federation of State, County and Municipal Employees is threatening to withhold government services to get what it wants.

The Chicago Teachers Union, or CTU, and University of Illinois Springfield United Faculty, or UIS United Faculty, walked out on students to get school administrators to buckle to their demands.

A teachers union in the Palatine area took advantage of closed-door negotiations to lock in an unprecedented 10-year contract – committing taxpayers whose own incomes have stagnated to paying for services long into the future.

And perhaps most startling, a teachers union in East Aurora, Illinois, has the ability to stand in the way of implementing bus transportation for low-income students if the transportation plan involves changing school start times.

Taken individually, these incidents may seem separate and unrelated. But they are all part of one whole: the power government worker unions have in Illinois, and the way that power controls Illinoisans' everyday lives.

While government worker unions have had a stranglehold on the people of Illinois for far too long, the state isn't without hope. Illinois can follow the lead of other Midwestern states and enact labor reforms. Two reforms in particular – limiting contract negotiations to base wages and requiring transparency in the negotiating process – will help put the people of Illinois back in control.

5 examples of Illinois government unions' power over the people

Government worker unions were never intended to exist, but now they control the everyday lives of the people they are supposed to be serving. This power drives up costs, threatens government services, and can even keep low-income students from getting bus transportation to school.

Here are five examples that show how union power affects taxpayers in Illinois.

1. American Federation of State, County and Municipal Employees

AFSCME is the state's largest government worker union. It's been without a contract since June 30, 2015, because it refuses to give up its unreasonable demands – and it wants the state to raise taxes to meet those demands.

Illinois' financial woes are no secret. The state has the worst credit rating in the nation. Illinois currently has over \$14 billion in unpaid bills.⁴ The state's pension debt has reached \$130 billion.⁵

All of this hits Illinois residents hard. Social services have gone unfunded.⁶ Almost half of Illinois' residents would like to move out of the state.⁷ The No. 1 reason? High taxes.

And AFSCME is willing to add to that pain.

In the midst of Illinois' financial crisis, AFSCME is adamant that the state spend \$3 billion in increased wages and benefits – including payroll increases up to 29 percent over the course of the contract.⁸

It isn't enough that state workers in Illinois are already the highest-paid state workers in the nation when adjusted for cost of living.⁹ AFSCME workers receive, on average, over \$100,000 in compensation each year.¹⁰ It isn't enough that most AFSCME employees also receive free health insurance at retirement, simply by working 20 or more years. And it isn't enough that state retirees on average receive \$1.6 million in pension benefits, in addition to Social Security.

AFSCME wants more.

How can cash-strapped Illinois pay for \$3 billion in extra salary and benefit demands? AFSCME leadership has an answer: Raise taxes.¹¹

Instead of allowing a reasonable contract to go into effect, AFSCME has pulled out all the stops – including voting to authorize a strike against the state's taxpayers.¹²

Pay us more. Raise taxes. Or we go on strike against the people we are supposed to serve.

It's the exact situation Roosevelt warned against.

2. Chicago Teachers Union

The militant control CTU exercises over Chicago's public schools has been detrimental to students, parents and teachers.

Since 2012, CTU has gone on strike – or considered going on strike – on at least four separate occasions.¹³ These strikes leave students and parents in the lurch.

In 2012, Chicago Public Schools was already facing a \$1 billion budget deficit and an \$8 billion teacher pension shortfall.¹⁴ But CTU went on strike anyway, demanding higher wages even though CTU members already received high salaries and generous benefits. In fact, Chicago teachers are the highest-paid among the nation's 50 largest school districts.¹⁵

In the short term, students missed instruction time. Thousands of students had no place to go during the day while teachers were on strike and their families were left to find substitute accommodations.

The 2012 strike also had longer-term effects. After the strike ended, CPS announced it had to close 50 schools and lay off thousands of teachers to help reduce costs.¹⁶

On April 1, 2016, CTU once again turned its back on students and parents by calling a one-day strike. What's more, the union even punished teachers who chose to support their students that day. Joe Ocol, a teacher and chess coach in Englewood, went to school April 1 to coach his chess team – and his team subsequently took home a national championship. But CTU did not look favorably on Ocol's decision to prioritize his students over the union's agenda, and it expelled him from the union.

Furthermore, CTU has actively worked against the growth and success of Chicago charter schools and their students. In negotiating the latest teacher contract with CPS, CTU required a moratorium on the growth of charter schools. The contract provides:

*"There will be a net zero increase in the number of Board authorized charter schools over the term of this agreement and the total number of students enrolled by the end of school year 2018-2019 will not exceed 101% of the total student enrollment capacity as of school year 2015-2016."*¹⁷

In other words, CTU actively prevents the growth of charter schools and the number of students who can utilize them. This action would not help provide the best educational options for students – it would serve only to restrict options and competition in education. And it benefits no one but the union.

3. University of Illinois Springfield United Faculty

Just one week before finals, tenure and tenure-track faculty at the University of Illinois Springfield, represented by the UIS United Faculty, walked out on students, protesting stalled negotiations between the union and the university.¹⁸

Negotiators reportedly had reached tentative agreement on a range of subjects, including health and safety, personnel file management, facilities and equipment, and meetings with administration.

But there was a sticking point: the university's faculty personnel policy. According to the university, that policy includes "long-standing appointment, reappointment, tenure and promotion procedures"¹⁹ – procedures that have been followed without the need for a collective bargaining agreement in the past.

The breakdown in negotiations didn't seem to be a matter of whether the university would continue to follow the policy – it was more a matter of where that policy appeared. The union wanted the policy contained within the new contract, while the university wanted the faculty personnel policy to remain as is.

And for that, professors walked out on students.

What's more, the professors could have waited. There were already additional negotiating sessions scheduled for May.

There's no question that a professor strike one week before finals is disruptive and unfair to students. But

the union placed its own agenda above students' needs.

4. Palatine-area Community Consolidated School District 15

Secret, backdoor dealmaking between governing bodies and government worker unions often harms taxpayers, who are on the hook for paying for whatever deal comes out of these negotiations.

Just look at what happened in Palatine-area Community Consolidated School District 15, where school district officials signed an unprecedented 10-year contract with the Classroom Teachers' Council on April 13, 2016.²⁰ Not only did the former head of the teachers union negotiate the deal on behalf of the district, but the agreement also included steady raises in an area where private sector incomes had not even kept up with inflation. The public didn't get to see the terms of the agreement until it was a done deal.²¹

Under the 10-year contract, District 15 taxpayers, who already face stagnant earnings and decreased purchasing power, will be contractually bound to provide increasing salaries even if – four or more years down the line – the economy cannot sustain such increases.²² In Illinois, that sort of financial pitfall is more than mere speculation.

Unfortunately, the lack of transparency in the district's actions, keeping the negotiations and contract undisclosed until finalized, is not uncommon.²³ Behind closed doors, unions can exert power to achieve tremendous benefits, without taxpayers ever knowing what is going on.

The Palatine contract epitomizes the harm these secret negotiations inflict on taxpayers.

5. East Aurora District 131

When it comes to negotiations over teachers contracts, it's the students who lose. An example in East Aurora bears this out.

Most students in East Aurora's District 131 have never had bus transportation to school, even if they live miles away.²⁴ Almost two-thirds of students in the district are considered low-income, which makes it likelier parents struggle just to get their children to school each day.²⁵

In what the Aurora Beacon-News referred to as a "historic vote" in April 2017,²⁶ the East Aurora school board approved a plan that could place its students more on par with students in West Aurora, the wealthier part of the city, by offering bus transportation to any student living 1.5 or more miles from school. The decision would affect more than 3,000 students.

School board officials are hopeful increased busing will help raise attendance, test scores and the graduation rate – all goals for the academically underperforming district.²⁷

Unfortunately, a union contract could stand in the way.

That's because day-to-day logistics – such as when and how students are bused to school – must be agreed to by the teachers union.

To make the transportation plan more economically feasible (and, therefore, more taxpayer-friendly), the school district is considering staggering start times at the schools. That would mean the same buses could make multiple runs – and the district could pay for fewer buses.

According to the district, staggering start times would lower its additional three-year busing costs between \$343,000 and \$441,000.²⁸ And the school board hopes to offset some more of the cost by

increasing attendance through the bus transportation, which will affect the amount of aid paid by the state.²⁹

But like many school districts around the state, the District 131 teachers collective bargaining contract with the district governs school start and end times. Changing the contract means negotiations between the union and the school district.

When and how students are bused to school should not depend on a teachers union – but that's how the law works in Illinois.

In effect, teachers unions are given veto power over any district logistics that might affect the contract, even if the end result would have benefited the students and their families.

In East Aurora, union officials indicate that could mean an additional year of planning before they will agree to the busing proposal, if at all.³⁰ It's a situation that pits the power of the school district – including the teachers union – against the students and families of East Aurora.³¹

And while a union contract stands in the way of busing low-income students, an analysis of the district's compensation packages for staff shows where the district's real priorities are, and they're not centered around easing transportation difficulties for students.³²

Compensation for administrators and teachers is completely out of sync with that of private sector workers in the area, which makes the failure to prioritize busing for low-income students especially galling.

In the meantime, academic performance in the district is lower than state averages.³³ School attendance and academic performance are inextricably linked. Transportation could be crucial for East Aurora students.

And while the union and school board duke it out over busing logistics, the low-income students of East Aurora must find their own way to school.

The solution: Limit negotiations and bring transparency to the negotiating process

Government worker unions were never meant to exist. Even early union leaders predicted and warned against the overreach and power many government unions wield over the public.³⁴ Unfortunately, states like Illinois did not take heed of those early warnings.

Yet while unions have had a stranglehold on the people of Illinois for far too long, the state isn't without hope. Examples of how to rein in government union power can be found just across the state border.

In recent years, collective bargaining reforms have swept states throughout the nation, particularly in the Midwest. In fact, Illinois stands alone in a sea of labor reform. Every surrounding state has enacted some sort of reform.

Two changes in particular would help Illinoisans regain control from government worker unions: limiting the subjects government unions can negotiate and bringing transparency to the negotiating process.

Limiting the subjects of collective bargaining

Currently in Illinois, government worker unions can negotiate over a plethora of benefits and perks. And if a union can negotiate over those perks, the union can also threaten to strike if it doesn't get what it wants – just as AFSCME, CTU and UIS United Faculty have done.

And government unions use this power to gain extraordinary benefits. For example, the expired AFSCME contract includes double-and-one-half-time pay for working on certain holidays, more than 15 different leaves of absence, and no real repercussions if an employee has 10 unauthorized absences.³⁵

While state and local governments in Illinois continue to wrangle with government unions over these types of extravagant demands, neighboring states have begun limiting what can be negotiated into a government union contract.

In 2011, Wisconsin enacted legislation that allows government worker unions (representing workers other than public safety employees) to negotiate over base wages and nothing else.³⁶ Other provisions – such as overtime pay, health insurance and sick leave – are now determined by the state.³⁷

What's more, Wisconsin limited these negotiations over wages to inflation. In order for a local government unit to increase base wages above the rate of inflation, the increase must be approved by voters via referendum.³⁸

Iowa followed suit in 2017, limiting negotiations to base pay for government unions that do not represent public safety workers.³⁹

Unlike Illinois, government worker unions in Wisconsin and Iowa can no longer use residents as pawns by threatening to withhold important government operations in order to get what they want. Illinois should do the same and enact legislation that limits the subject of collective bargaining to base wages only.

Bringing transparency to the negotiating process

Under current Illinois law, negotiations between governing bodies and government worker unions happen behind closed doors. By the time contract provisions are known to the public, it is a done deal, and there is nothing residents can do about it. This secret, backdoor dealmaking often harms taxpayers, who are on the hook for paying for whatever deal comes out of these negotiations.

But it doesn't have to be that way.

In 2015, Idaho enacted legislation that requires negotiations to be conducted in public.⁴⁰ All contract offers and counteroffers are subject to public disclosure. That means residents can know what is in a contract – and have time to evaluate it and weigh in – before it is approved. Missouri considered similar provisions in 2017.

Such transparency would have benefited the people of Palatine, who are currently saddled with a 10-year teacher contract that was kept secret until it was too late for taxpayers to rally against it.

Bills requiring transparency in public sector negotiating have been introduced multiple times in the Illinois General Assembly in the last several years. The most recent – House Bill 447 – was sponsored by state Reps. Jeanne Ives, R-Wheaton, and Thomas Morrison, R-Palatine, in 2017. The bill would require public employers, including school districts, to post all agreements online and hold public hearings before agreements become final. But the bill never made it out of the Democrat-controlled committee.

Government unions have had an unfair hold on the people of Illinois for far too long. Illinois' neighbors understood that comprehensive labor reforms were needed to rein in abuses of that power. Illinois needs to follow suit and consider limiting the subjects of collective bargaining and opening the negotiating process. It's time for the people of Illinois to be back in control.

Endnotes

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