

Janus: No one can outwork us!

teachers' unions, three-quarters approve of educators' right to strike, and just one in four believe educators in this country are paid fairly."

As you know, our locals have focused on issues that improve education in California – unions have successfully bargained improved working conditions, caused better teacher/learning environments, bettered the working conditions of educational support personnel, community college faculties and support personnel, helped bring greater resources to children with special needs, fought for better and safer facilities, advocated for a *whole curriculum*, that included, among

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others, art, music, science, physical education, AP classes, smaller class sizes and more FTEs, better and up-to-date, relevant books, materials, audio-visual and digital media. Our efforts as unions have improved our school communities' educational

opportunities for children and community college students throughout the state. CTA locals have been in the forefront advocating and making substantive, improved changes for children and teachers in rural, urban and intercity schools.

We are also under attack, our rights and freedoms threatened, because powerful interests and corporate backers believe unions in general interfere with their profit streams. Public sector unions such as ours, (Your Local/CTA/NEA) are a part of the largest group of organized labor in the country. We have an impact on the direction in policies and improvements that govern much of the lives of working people. What happens among our group affects the workforce of the rest of the nation. We have been in the forefront of improving the rights of marginalized communities, upholding the civil rights of all people, advocating and successfully making improvements in the lives of school employees here in California and throughout the country. The other goal of these corporate forces is to gain more than a foothold in accessing the dollars spent on public education and to privatize schools wherever possible.

Again we reiterate, that your professional staff, the California Staff Organization (CSO), will be assisting you in devising plans and materials necessary to maintain and hopefully grow our membership. We believe that the unintended consequence of

this ruling, the attempt to undermine and to splinter us, both requires and presents a unique and necessary opportunity for us to engage each union member and employee on a one-to-one, face-to-face occasion. We need to speak with them about

"We will meet this challenge together as one!"

our union, remind them what we have done to improve their lives and working conditions, and to have them sign and commit to a continuing membership in the their union.

We will meet this challenge, together as one! We are known for perseverance, creativity, and an unswerving commitment to the improvement of public education and to the children and students who attend our public schools.

No one can outwork us when we decide to do anything!

CTA leaders and members, you are a vital and necessary star to lead our fight. We want you to know that you will *NOT* do this alone. Your CTA CSO staff will be in this fight with you!

**In Solidarity,
Nicole Love,
President of the California
Staff Organization (CSO)/ NSO**

Advocacy Appeal

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A CSO publication

School District behavior CSO initiates campaign to improve relations with CTA

As the US Supreme Court betrays union workers across the nation with its Janus decision, CTA has instituted a betrayal of its own against California Staff Organization, the union of staff who fight for CTA affiliates across the state.

CSO currently has five grievances going to arbitration with CTA, the most hurtful being a case where CSO agreed to sacrifice for the good of the union, only to have CTA Management try to change the terms of that agreement to further hurt CSO members.

"We have tried to come up with an alternative, but CTA is unwilling to make any adjustments to avoid arbitration," said Rosemary Louissaint, chair of the CSO Bargaining Team and a member of the joint CTA/CSO Attrition Committee.

CTA's betrayal stems from a Memorandum of Understanding it signed with CSO to prepare for a negative Janus decision. The MOU will allow CTA to cut eight CSO positions statewide, four in 2017-18, two in 2018-19 and two in 2019-20.

That's right – before a single dollar of dues were lost to the Janus decision, CTA demanded, and CSO agreed, to cut eight positions of the roughly 195 staff who (among many other things) bargain contracts, appear

in court, study budgets and educational trends, and train at conferences like this one.

And its not the first time. At the height of the Great Recession, CSO agreed to cut 16 positions when CTA lost thousands of members to layoffs. In the recovery of the last ten years, CTA's membership is back where it was before – but those 16 positions are still gone. CTA pushed hard for even more cuts during bargaining for the 2017-20 Collective Bargaining Agreement, and CSO agreed to an MOU very much like the original.

"CSO bargained an agreement in good faith," Louissaint said. "Unfortunately now CTA is not willing to honor what we believed was the intent and the process written in the MOU."

Eventually, the most significant change from that original was that the eight positions would have to be spread out over two years – CSO was concerned that CTA might try to eliminate too many positions too quickly, disrupting workload and the effectiveness of staff work for members.

In a move that will look familiar to leaders who have struggled with disingenuous school administrations, once the MOU was in place CTA Management (See MOU Page 2)

7. If a vacancy occurs in a position that must be filled, the parties agree to the following: a) the vacancy shall be posted and filled under the terms of Article IX, *for internal applicants only*; b) should there be no internal applicant, in reverse order of seniority, a member currently occupying a position that need not be filled whose transfer would not necessitate a change of residence may be involuntarily transferred into that vacancy. If this occurs, that member shall not be subject to the restriction of Article 9.208 but shall be afforded its protection against a future involuntary transfer; and, c) if the vacancy is not filled internally through sections (a) or (b) above, it shall be filled through the normal hiring process of Article IX, including external posting.

An excerpt from the CSO-CTA attrition agreement, which CTA Management now says means something different than it did when first approved.

— **Partners in Advocacy** —
CTA staff and members working for California's students

MOU: Management lacks respect

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 ment said it no longer recognized the right of CSO members to transfer freely into open positions, even those that are not going to be cut. Citing an arbitration ruling that upheld management's right to deny a transfer into the CTA Legal Department to a CSO member in another department, CTA Management now says it has the right to deny any transfer – even job-alike transfers – something it did not do under the previous MOU.

“They are being just like a district,” Louissaint said. “When it works properly for them, they will follow the MOU.”

“It's clearly a breach of good faith on CTA's part.”

Struggles like this have prompted CSO to initiate a campaign it calls “Respect our Contracts, Protect the Process,” calling on CTA to show good faith and honor its agreements with its unions. That campaign was endorsed unanimously last Spring at the CSO Annual Meeting.

“This is clearly a breach of good faith on CTA's part,” said Kimerly Mina, CSO Organizing Chair. “CSO entered into this agreement in order to bail out CTA post-Janus and they

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 Motion
 WHEREAS, California Staff Organization (CSO) is one union comprised of a diversified workforce;
 WHEREAS, CSO values our contract;
 WHEREAS, CSO faces political, social, and professional challenges and changes in workload and duty;
 WHEREAS, CSO has experienced patterns of poor management behavior resulting in an increased number of grievances and a decline in positive staff-management relationships;
 WHEREAS, CSO continues to encounter California Teachers Association (CTA) Board Members who demonstrate a lack of respect for boundaries, our contract, and our work;
 WHEREAS, CSO perceives a general lack of respect for our CBA by CTA management, Option 2 management, Local Option management, CTA Board Members and CTA Officers;
 WHEREAS, CSO acknowledges that respectful relationships between staff, management, and governance are essential to building stronger local chapters and a more powerful California Teachers Association;
 NOW, BE IT RESOLVED, the California Staff Organization shall initiate a statewide “Respect Our Contract, Protect the Process” (ROC/PTP) campaign;
 BE IT FURTHER RESOLVED, CSO shall support our Organizing Committee in developing and implementing the ROC/PTP campaign;
 BE IT FURTHER RESOLVED, CSO shall continue to discern, and act according to, our Core Values and our CSO Code of Conduct;
 BE IT FURTHER RESOLVED, CSO shall support our Grievance Committee in upholding the CSO Collective Bargaining Agreement;
 BE IT FURTHER RESOLVED, CSO shall provide internal communication and education to our members regarding the value of our CBA and issues that undermine our collective strength;
 BE IT FINALLY RESOLVED, CSO shall participate in an escalation of actions designed to confront the trend of disrespect toward CSO and transform the current culture into one that is respectful, professional, and collaborative.

This Item passed unanimously at the CSO Spring 2018 Annual Meeting.

refuse to follow the MOU.”

During the summer conferences, as CSO members work to help CTA leaders prepare for that post-Janus

world, they will also be talking to leaders in the hope that we can help CTA return to being an example of a good union employer.

Janus lawsuit aftermath

Enemies of organized labor will fail

A letter from CSO President Nicole Love to CTA Leaders and Members:

I am certain that by the time you receive this, you will be more than aware of the Supreme Court's 5-4 decision in **Janus v. AFSCME, Council 31**, 585 U.S. ___ (2018), which abandons precedent, **overturning the unanimous SCOTUS decision in the Abood v. Detroit Board of Education**, 431 U.S. 209 (1977). That case, 41 years ago, ruled that public sector unions may charge for expenses for bargaining and contract maintenance fees (agency fees) to non-members.

This ruling is a culmination of years of an unrelenting, well-funded attack upon public sector unions by Right-wing conservatives, billionaires, Richard Uihlein, Republican Mega-donors, the Koch brothers, corporations and the Republican Party. Unions, they believe, suppress profits, lessen and interfere with corporate operations, generally support Democrats (with funding and workers) and provide due process rights for groups often marginalized in our society. Union advocates have coined the impact of the decision to be comparable to making states across the nation, **Right to Work** (for less) states.

The court has eliminated a public-sector union's ability to collect “fair share” or “agency” fees from



CSO President Nicole Love

workers who choose not to join as union members but are (must be) still protected by union agreements. The ruling undermines the ability of teachers, staff and other educators to come together and bargain collectively on behalf of students and themselves. Those who brought this suit, did so to silence your local union, CTA, NEA, and other public sector employee unions.

THEY WILL FAIL!

We expect that operatives will reach out to your members with well-written and -presented disinformation about the meaning of this ruling, and how it can “benefit them.” We want you to know, they are probably making these efforts now. They will be designed to undermine and to lessen the strength your membership has gained through collective bargaining. This fight is likely the beginning of what will be years of attack, but we will not falter and you

can depend that your CTA, CSO staff professionals to be there to work with you, to advise, assist, and to help members understand the effect of this ruling. We are confident that together we will be able to combat any effort. CTA has excellent materials and resources which you may use to counteract these misrepresentations.

Regardless of the Supreme Court's decision, we must remain united and make it known that no decision can stop our unions.

All over America, education employees are heading in a different direction. Hundreds of thousands of them took to the streets around the country, to force legislators and legislatures to listen and make needed changes to schools, education and their compensation. They are learning that, when we act together, we are one immovable force! We can and will do the same here in maintaining our membership!

According to a National Public Radio poll: *“Public opinion of teachers' unions is robust. According to a recent NPR/Ipsos poll, two-thirds of those polled approve of*

(See Janus, Page 4)

thirds of those polled approve of



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