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Taylor schools, union sued over contract that skirts right to work

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Taylor — The Mackinac Center for Public Policy filed a lawsuit Thursday on behalf of three Taylor teachers who object to a union security clause adopted by the school board and the Taylor Federation of Teachers.

“The Taylor agreement is a radical new attempt at a union security agreement. They have a collective bargaining agreement they just reached which expires in 2017, but they’ve also done a separate side agreement,” said Derk Wilcox, senior attorney for the Mackinac Center Legal Foundation. “The 10-year length is to exempt the union from right-to-work laws for a decade.”

Taylor’s board of education and the union recently ratified two new contracts — one agreement outlining their pay and benefits until Oct. 1, 2017, and a separate 10-year contract keeping a union security clause in place until 2023. The security clause requires teachers to financially support the labor union as a condition of employment.

The agreement would keep the district’s teachers from falling under the right-to-work law that takes effect March 28. The law makes it illegal to require private-sector workers and most public-sector workers to belong to a union as a condition of employment.

The Taylor teachers named as plaintiffs in the suit are Angela Steffke, Rebecca Metz and Nancy Rhatigan. The district’s teachers had been working without a contract since 2010. The new contract will include a 10 percent pay cut to reduce a \$14 million deficit.

At a press conference Thursday in Taylor, Steffke, a special education teacher, said the union and the district “colluded and conspired to circumvent” the state’s right-to-work laws.

“This suit is not about my salary. It won’t change my salary one way or another,” said Steffke. “It’s about fighting for the

freedom of association and freedom from collusion.”

Linda Moore, president of the Taylor Federation of Teachers, referred a request for comment to Dave Hecker, president of AFT-Michigan.

In response to allegations that there was secrecy or pressure to enact the deals, Hecker said most union members voted to approve the contracts.

“What they fail to mention is that both of these contracts were ratified overwhelmingly,” said Hecker. “Membership had full information, full opportunity and they voted based on that.”

He said the school board and union were free to negotiate the contracts at the local level.

“This is Feb. 28. This is not March 27. On Feb. 28, this is not a right-to-work state,” said Hecker.

A message for Taylor Schools Superintendent Diane Allen was not immediately returned Thursday.

The action in Taylor raised questions over whether school districts and unions can renegotiate contracts ahead of the right-to-work legislation.

School employee labor unions are pressing school districts, community colleges and universities to go back to the bargaining table and agree to contract extensions to bypass the law.

Union leaders representing teachers in Utica, Plymouth-Canton, Dearborn and Detroit are trying to secure new collective bargaining agreements before the right-to-work law takes effect on March 28.

The law includes a clause that says all contracts in place before that date are immune from the new rules, which means members would be tied into paying dues until the new contract expires.

State Rep. Doug Geiss, D-Taylor, called the lawsuit a frivolous waste of money and said it was meant to undermine the good faith under which the contract was entered. He said the action wouldn't benefit the district's students.

"If we really want to put students first, we need to give them all of the resources they deserve. This starts with restoring the \$2 billion that has been diverted from schools over the past two years," said Geiss in a statement. "Rather than using our kids as pawns in a political agenda, we need to focus on reducing class sizes and providing textbooks and equipment — things we know will help our kids succeed."

Rep. Tom McMillin, R-Rochester Hills, chairman of the House Oversight Committee, asked Taylor district and union officials to address the panel this week to explain the "unusual length of the union security clause." The officials declined.

On Tuesday, Wayne State University and its faculty union reached a tentative eight-year contract after months of negotiating. The agreement, which replaces a contract that expired July 31, will be formally voted on by the 1,950 faculty and staff March 6.

The contract includes unspecified changes in wages and benefits and establishes committees to explore technology use and the "changing realities" of health care benefits.

On Thursday, McMillin extended the invitation to Wayne State University school and union members.

Charles Parrish, president of the American Association of University Professors-American Federation of Teachers, WSU chapter, declined to comment Thursday on whether the union would accept the invitation.

Wilcox said the Mackinac Center would be watching what other school boards and unions do in the weeks leading up to the March 28 deadline to see if it would take legal action against those entities.

Parrish said he wasn't concerned with the threat of a lawsuit.

"We believe that the contract that we signed is well within the law and we don't expect any legal action against it," he said.

Kim Kozlowski and Serena Maria Daniels contributed.