

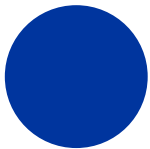


The Benefits of  
**COLLECTIVE  
BARGAINING**  
in Public Education



National Education Association,  
Collective Bargaining &  
Member Advocacy Department





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### **NATIONAL EDUCATION ASSOCIATION**

The National Education Association is the nation's largest professional employee organization, representing more than 3 million elementary and secondary teachers, higher education faculty, education support professionals, school administrators, retired educators and students preparing to become teachers.

### **NEA EXECUTIVE OFFICERS**

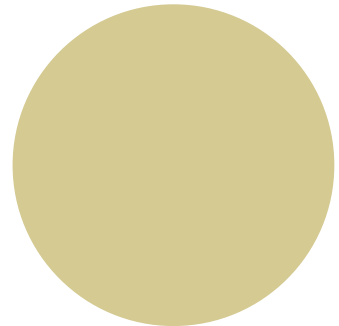
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## OVERVIEW

The National Education Association believes that securing robust collective bargaining rights—and enforcement mechanisms to ensure that all educators can exercise those rights free from unlawful interference—is essential to the success of our students and educators alike.

Providing education employees with the right to engage in collective bargaining ensures that they will have a legally guaranteed seat at the table and a voice in the terms and conditions of their employment. In exercising that right, educators can improve the conditions under which they teach and their students learn. Educators who have the right to bargain can also negotiate better teaching and learning conditions for their students. Collective bargaining is good public policy. When educators and management can come to an agreement on salary, benefits, and working conditions—while improving teaching and learning conditions—everyone benefits.

Unfortunately, today, educators in many states lack these basic rights and protections. Here we present three important elements:

- (1) a brief history of public-sector bargaining;
- (2) why collective bargaining is important and how it benefits educators, students, and the wider community; and
- (3) key elements of a strong public-sector collective bargaining law.



# 1. HISTORY OF PUBLIC-SECTOR BARGAINING

Collective bargaining and labor rights in the United States were added in a piecemeal and sector-based fashion since the passage of the 1926 Railway Labor Act, which only covered railroad workers. When the National Labor Relations Act (NLRA) was enacted in 1935, most private-sector employees gained the right to collectively bargain. However, public-sector workers, including teachers, were excluded.

Though the nation's first public-sector bargaining law was enacted in Wisconsin in 1959, it was President Kennedy's 1962 executive order granting federal employees the right to bargain that set the stage for the NEA and other public-sector unions to pursue collective bargaining for teachers and other educators, state by state. The result was a patchwork of widely varying laws—developed in different political climates—that still exists today. And we still have states that have not extended collective bargaining rights to their employees and several that prohibit bargaining.

Anti-union forces have worked to erode those rights in recent decades. Some states have gutted their public-sector collective bargaining laws and have severely restricted bargaining rights for educators and other public employees. In 2011, the Wisconsin legislature passed legislation that severely limited bargaining for most public-sector workers, including education employees. Those employees are now prohibited from bargaining any factor or condition of employment except base wages. The Wisconsin law also made it much more difficult for workers to choose to be represented by a union, because it requires unions to obtain 51 percent of the votes of all employees in the bargaining unit—including counting as “no” votes those who do not vote. Inspired by Wisconsin, other states have taken similar measures to either curtail or eliminate collective bargaining rights, including Arkansas, Florida, Idaho, Indiana, Iowa, and Michigan.

The NEA is working to reverse this trend in statehouses around the country, not only to benefit our members and their students, but also to strengthen the economy, help working families get ahead, and help to end racial and socioeconomic inequity.

Only 34 states, plus the District of Columbia, guarantee K-12 teachers some right to organize and collectively bargain. In the other six states (Georgia, Mississippi, North Carolina, South Carolina, Texas, and most recently, Arkansas), public-employee collective bargaining is expressly prohibited by law. In 2011, Tennessee replaced collective bargaining with a process called “Collaborative Conferencing.”<sup>1</sup> In the remaining nine states (Alabama, Arizona, Colorado, Kentucky, Louisiana, Utah, Virginia, West Virginia, and Wyoming), there is no statewide bargaining framework but local jurisdictions may grant recognition and bargaining rights if employers choose to do so.

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<sup>1</sup>“Collaborative conferencing” is distinct from collective bargaining. Employees no longer have the right to collective bargaining in Tennessee. Non-binding “conferencing” is now the only method through which professional educators may negotiate with their employers in Tennessee.

The situation for education support professionals (ESPs) is similar. Thirty-one states, along with the District of Columbia, provide for the right to organize and bargain. Seven states prohibit it. While 12 states have no explicit bargaining framework for ESPs, local jurisdictions can choose to grant recognition and bargaining rights.

Educators at public, higher education institutions are in an even more precarious position. Only 25 states guarantee bargaining rights for faculty at community colleges and four-year institutions. Nine states prohibit it. Three states, plus the District of Columbia, grant the right to bargain to some, but not all, higher education faculty. Finally, 13 states have no statewide bargaining framework nor any ban; as a result, individual institutions can choose to grant recognition and bargaining rights.

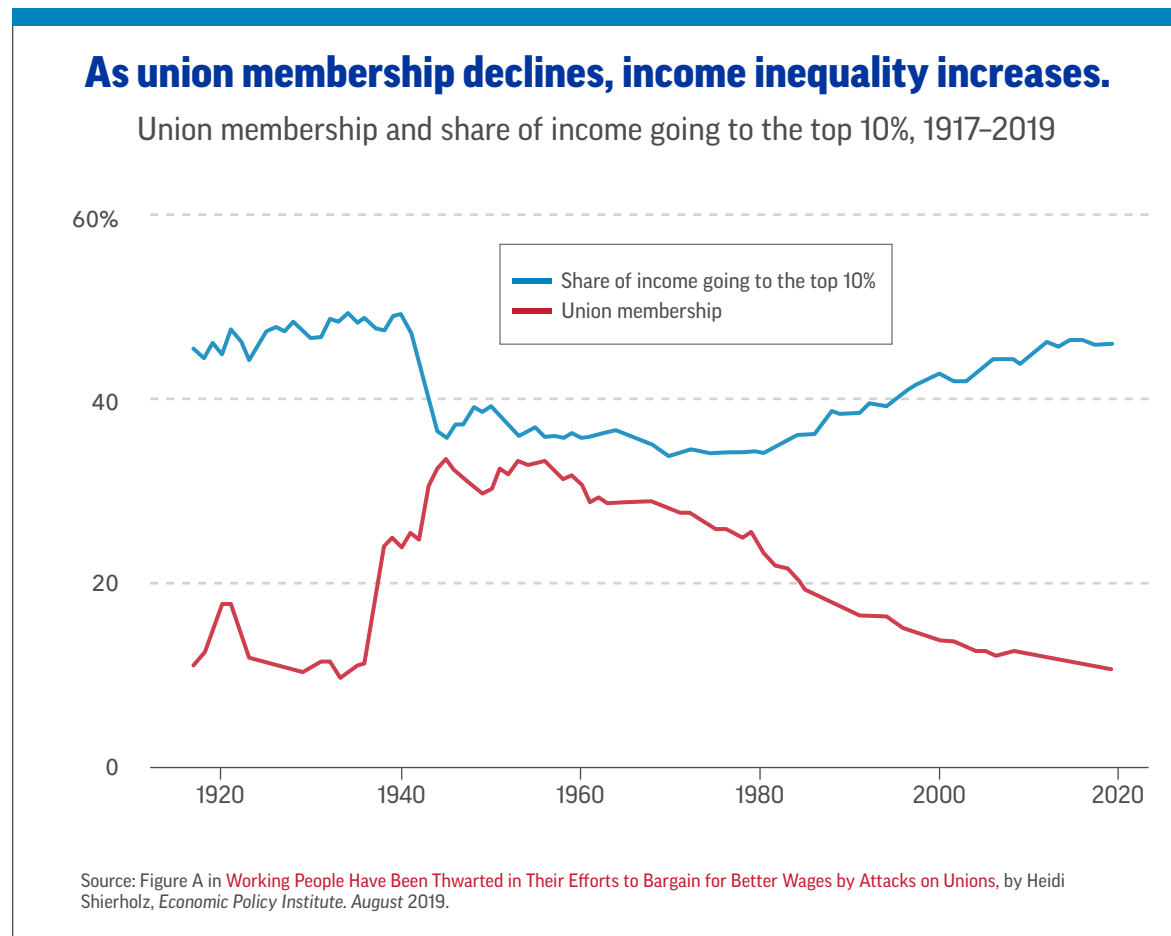
This means that hundreds of thousands of public, K-12 and higher education employees are denied the right to organize and bargain for better compensation, benefits, improved working conditions, and more effective student learning environments.

See the [Appendix](#) for U.S. maps showing the status of K-12 and higher education employee bargaining rights in each state.



## 2. THE BENEFITS OF UNIONIZATION

The Economic Policy Institute has long documented the positive effects of unionization on workers in general and union members in particular. Union members earn better pay, health insurance, and other benefits. Women and people of color especially gain from collective bargaining because it reduces wage inequities. Moreover, unions and their members tend to be more engaged in civic involvement and support progressive policies including increased education funding. All these elements reduce inequality and provide more opportunity for workers and their families.<sup>2</sup>



### The Benefits of Collective Bargaining in Public Education

The benefits of unionization are crucial to those who choose to work in education. Through collective bargaining, NEA members negotiate for more than their own economic security. They also secure vital public resources to help communities and improve education by reducing class size, and increasing student learning time while reducing unnecessary testing.

<sup>2</sup><https://www.epi.org/publication/unions-help-reduce-disparities-and-strengthen-our-democracy>

In good or bad economic times, a collaborative public education employer can better serve students and the community by negotiating in good faith with its union(s).

NEA affiliates are also working with a broad group of stakeholders, including parents and other community partners during the negotiations process. Together they are developing proposals to secure critical resources for students and ensure that all students have the support they need, no matter where they live.

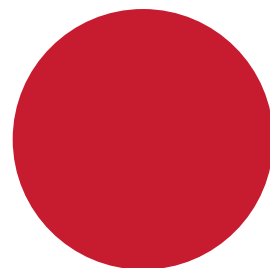
## **Bargaining improves student learning and teacher working conditions.**

Teachers' working conditions are students' learning conditions. By addressing school and classroom issues, everyone gains. In negotiations, educators and their employers collaborate on student-centered issues such as setting limits on class size, identifying time for teachers and paraeducators to share effective classroom practices, addressing school health and safety issues, and ensuring teacher input into their own professional learning—all of which help students thrive.

The Learning Policy Institute's research supports the reality that better working conditions positively impact an educator's ability to teach in a particular school and to stay there.<sup>3</sup>

Many locals have successfully bargained student-centered issues such as:

- lowering class size limits;
- adding more specialized instructional support personnel (SISP) to address student needs; also known as non-classroom educators, these staff include social workers, occupational therapists, library media specialists, and many other positions; and
- increasing the amount of recess time or arts curriculum offered to students.



## **Bargaining can help attract and retain the highest quality employees.**

Teacher shortages were an issue prior to the pandemic, with declining enrollments in teacher preparation programs. The Learning Policy Institute projects annual shortfalls of over 100,000 teachers as fewer people are entering the profession compounded by an increase in retirements/resignations due to low pay, high stress, and challenging working conditions.<sup>4</sup> Since the pandemic began, the educator shortage problem is not limited to teachers. In the 2021–22 school year, finding trained bus drivers to safely transport students has become a crisis.<sup>5</sup>

The historic stresses of the pandemic (e.g., virtual/hybrid teaching and learning, technology challenges, personal safety concerns) have exacerbated shortages in many districts as never before, particularly for hard-to-staff subjects such as math, science, special education, and

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<sup>3</sup>[teachingplaybook.org](https://teachingplaybook.org)

<sup>4</sup><https://learningpolicyinstitute.org/product/teacher-turnover-report>

<sup>5</sup><https://www.nytimes.com/2021/09/16/us/school-shortages-bus-drivers-workers.html>



bilingual education, along with bus drivers, and other ESP career families.<sup>6,7,8</sup>

Retirements and resignations are up in some—but not all—districts compared to the 2019–20 school year. Limited data so far suggest that the COVID-19 pandemic was a key factor in one-third to one-half of teacher departures over the past year.

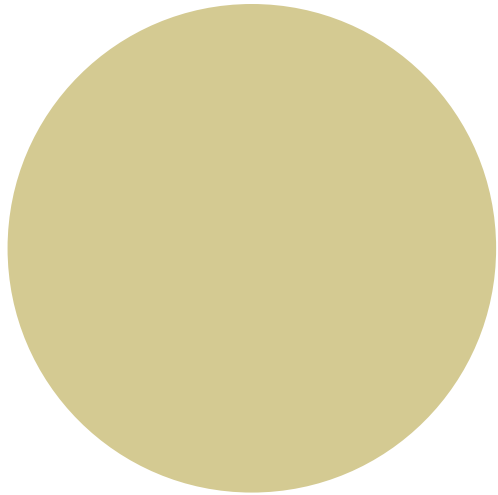


The Learning Policy Institute spells out five major elements that affect a teacher's decision to enter and remain in the classroom, particularly at under-resourced schools: compensation, teacher preparation, hiring and other personnel systems, mentoring and induction support for new teachers, and working conditions.<sup>9</sup> The Economic Policy Institute has also pointed to the negative influence that low compensation, poor working conditions, and lack of respect can play in exacerbating the teacher shortage—and that was before the pandemic.<sup>10</sup>

Unions, working with school districts and harnessing their members' input, can positively impact many of these factors.

Regarding compensation: [Research](#) by Economic Policy Institute determined that in states where public-sector employees (teachers, police, firefighters, and other local government workers) have stronger collective bargaining rights and higher union membership, smaller gaps exist between these workers' pay and the pay of private-sector employees with similar educational attainment and hours worked.

This is no surprise to teachers, given that our government at every level, has chronically underfunded education in general, depressing the wages of educators. The Economic Policy Institute has been tracking this issue for many years and has most recently revealed that teachers are paid, on average, nearly 20 percent less than other professionals with a comparable level of education.<sup>11</sup> Similarly, in states that have significantly restricted bargaining, EPI documented “significantly reduced average districts' spending on teacher compensation, including both teacher salaries and teacher benefits.”<sup>12</sup>



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<sup>6</sup><https://www.edweek.org/leadership/no-bus-drivers-custodians-or-subs-whats-really-behind-schools-staffing-shortages/2021/09>

<sup>7</sup>An ESP career family is a group of ESP professions that share similar core job skills, responsibilities, education, and training. The nine NEA ESP career families are clerical services, custodial and maintenance services, food services, health and student services, paraeducators, security services, skilled trades, technical services, and transportation services.

<sup>8</sup>NEA Education Employment Update, NEA Research, September 2021.

<sup>9</sup><https://learningpolicyinstitute.org/product/solving-teacher-shortage>

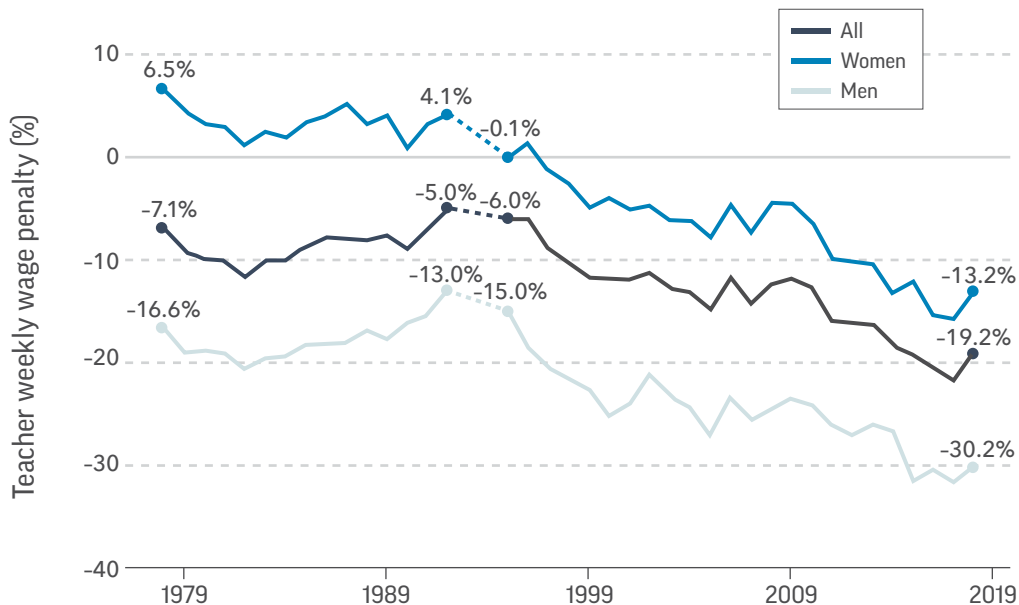
<sup>10</sup><https://www.epi.org/publication/school-climate-challenges-affect-teachers-morale-more-so-in-high-poverty-schools-the-fourth-report-in-the-perfect-storm-in-the-teacher-labor-market-series/>

<sup>11</sup><https://www.epi.org/press/teachers-are-paid-almost-20-less-than-similar-workers-when-including-benefits-teachers-still-face-a-10-2-total-compensation-penalty/>

<sup>12</sup><https://www.epi.org/publication/the-impact-of-changes-in-public-sector-bargaining-laws-on-districts-spending-on-teacher-compensation/>

## Teachers earn 19.2% less than comparable college graduates.

Teacher weekly wage penalty (or premium) for all teachers and by gender, 1979-2019



Source: Economic Policy Institute.

New educators often find teaching to be challenging—and even veteran teachers need extra support if they are teaching unfamiliar subjects or curriculums. NEA locals have negotiated comprehensive mentoring or coaching systems so that first-time educators receive feedback and support about curriculum development, classroom management, parent communications, and other responsibilities. Unions and school districts have successfully bargained for programs in which they identify the roles and responsibilities of mentors and coaches, as well as the selection process, compensation, and other key elements.

NEA affiliates have long sought to improve educator working conditions, which are also student learning conditions. Affiliates have effectively bargained for provisions or policies such as reducing class size, providing planning/collaboration time and paid, duty-free breaks, and ensuring that students and educators are walking into healthy, safe buildings, are utilizing current textbooks and resources, and have consistent access to the internet.

During the pandemic, the need for the NEA to protect the health and safety of educators and members became even more crucial.

In early 2020, when the first wave of COVID-19 hit the United States and school buildings were closed across the nation, NEA locals responded by negotiating agreements to ensure continuity of learning for the remainder of the year. This included developing virtual learning capabilities and addressing a wide range of technology needs quickly.

Some locals negotiated with districts to engage education support professionals in providing food and emergency relief to students and families with additional pay. By late summer and fall of 2020, local associations were focused on forging agreements to address the safe return to in-person learning, and terms and conditions for remote or hybrid instruction.

In the spring and summer of 2021, negotiations continued over health and safety measures, student and educator supports, and the impact of reopening plans on educator jobs and workloads. In many places, school boards and local unions have negotiated multiple agreements to address evolving issues.

## **Bargaining supports the fight for social justice and racial equity.**

Educators are driven by the higher purpose of helping to improve students' lives, especially for the growing number who battle poverty and attend under-resourced schools. Students of color are disproportionately saddled with those struggles.

Public-sector bargaining has evolved in recent years to have an even stronger community focus. Many NEA locals and their employers have opened the negotiation process to include community partners and parents, who develop proposals together to gain critical resources for students and schools. In many communities, educators, parents, and community allies have come together with the realization that unless they unite to address systemic racism head on, we can never live up to our belief that every student deserves to succeed no matter where they live or how much money their families have.

NEA affiliates are using negotiations to “[bargain for the common good](#)”—to organize local stakeholders around a set of issues that benefit not just our members in a building, but the wider community as a whole.

[Bargaining for the Common Good](#) (BCG) is an innovative approach to bargaining through which public-sector unions like the NEA use contract campaigns to organize local stakeholders around a set of demands that benefit not just the bargaining unit, but also students and the broader community. BCG is about expanding the continuum of bargaining and going on the offense in order to [fight for social and racial justice](#)—for our kids, for our schools, for the communities that we serve, and for the future.

As outlined by the [Bargaining for the Common Good Network](#), key elements of a BCG campaign include:

- expanding the scope of bargaining beyond wages and benefits;
- engaging community allies as partners in issue development and the bargaining campaign;
- centering racial justice in the union's demands;
- going on offense in the campaign by identifying, exposing, and challenging the unscrupulous players;
- strengthening internal organizing, membership, and member engagement; and
- assuring the campaign doesn't end once the union settles its contract.

### 3. KEY COMPONENTS OF A STRONG COLLECTIVE BARGAINING LAW

The fundamental purpose of a collective bargaining law is to guarantee the right of employees to organize and bargain collectively with their employer. At its essence, a bargaining law institutes a public policy that acknowledges and affirms a basic human right.<sup>13</sup> A bargaining law establishes the framework, processes, and mechanisms for exercising this right in an orderly and constructive manner.

The NEA believes that a strong collective bargaining law includes the following key components:

#### Uses a broad definition of employee and employer

A robust collective bargaining law provides comprehensive coverage and should not include arbitrary and unneeded exclusions based on things such as services rendered, hours worked, or categories of employment. A bargaining law should allow all types of employee groups (e.g., part-time employees, adjunct faculty, and graduate assistants) the opportunity for union representation and the right to negotiate.

#### Guarantees rights and protections

Collective bargaining legislation must give an employee the right to join a union. Employees should be able to engage in concerted activities without fear of retaliation for doing so. Unions and employers should be legally obligated to bargain in good faith. A strong bargaining law clearly delineates rights provided under the law and protects employees and employee organizations from unfair labor practices that interfere, restrain, or coerce them in the exercise of those rights.

#### Ensures clear dues deduction practices

Legislation should guarantee employee rights to payroll deduction of membership dues. Legislation should also require employers to implement payroll dues deductions in accordance with the terms of the authorization agreement between the union and their members. The terms of a member authorization may include a maintenance of payment provision in which employees agree to pay their full annual dues even if they choose to resign from union membership.



<sup>13</sup><https://www.un.org/en/about-us/universal-declaration-of-human-rights>



## **Broadly defines the scope of bargaining without arbitrary restrictions**

A collective bargaining law gives employees a legitimate voice in the workplace by guaranteeing their ability to negotiate over wages, hours, and terms and conditions of employment with working conditions broadly defined. Moreover, a tough bargaining law should include language that protects the provisions of the law from other statutes that would weaken or circumvent a bargaining obligation.

## **Promotes open and transparent processes and access**

Since a union has the unique legal responsibility to represent all employees within the bargaining unit, it is critical that the union have the right of entry to and be able to meet and communicate with all employees. Therefore, legislation should guarantee admittance to new employee orientations and employees' contact information on a regular, consistent basis. This information should include details such as name, work location, home address, and personal phone numbers and/or email. In addition, a collective bargaining law must promote open and transparent procedures by granting unions reasonable and continued access to their members at the workplace, and allowing open or public negotiations with no communication restrictions during the bargaining process.

## **Requires a terminal step to dispute-resolution procedures**

A strong collective bargaining law includes binding interest arbitration for resolving negotiation impasses.

Binding interest arbitration is a fair and equitable method to resolve contract disputes involving employers and the union employee representatives. Under binding interest arbitration, both parties agree to a neutral third party whose decisions are final and binding on both sides. The employee representative should have the right to determine the dispute-resolution method. Nevertheless, public-sector employees should also have the right to strike.

Concerns about widespread strikes by public employees are unfounded. For instance, prior to the enactment of its bargaining law in 1984, Ohio averaged 60 public-sector strikes a year, even though strikes were expressly illegal under the state's Ferguson Act and striking workers were subject to termination. Even though Ohio's law now permits strikes by public-sector employees in certain circumstances, according to the State Employment Relations Board, Ohio has averaged only two public employee strikes a year over the last 20 years.<sup>14</sup>

<sup>14</sup>[https://serb.ohio.gov/static/PDF/Annual\\_Report/Annual\\_Report\\_2021.pdf](https://serb.ohio.gov/static/PDF/Annual_Report/Annual_Report_2021.pdf)

An effective bargaining law must also require a grievance procedure culminating in binding grievance arbitration to enforce the terms of collective bargaining agreements. Otherwise, contractual disputes fall on either employers or the courts to decide; neither of these options is desirable. It is unreasonable to expect employers to be able to impartially settle disagreements with their unionized employees. Relying on the courts to decide grievances creates a lengthy and expensive dispute-resolution process.

## **Establishes a labor relations agency to administer and enforce the law**

It is essential that a collective bargaining law includes the creation of an independent, neutral labor relations agency, board, or commission to determine matters of representation—free from practices or tactics that delay or interfere with organizing campaigns—and the election of an exclusive representative.

Among other primary responsibilities of a labor relations agency is the authority to:

- conduct representation elections and certify election results;
- confirm a show of interest when a union seeks to represent employees or when employees no longer want union representation;
- resolve a situation when a rival employee organization challenges an incumbent union for the right to represent a unit of employees;
- determine appropriate bargaining units;
- decide election challenges; and
- investigate and put an end to unfair labor practices.



## **On the Ground**

The following examples demonstrate how NEA affiliates have united with parents, students, and community activists to fight for essential elements from smaller class sizes and mental health support systems to school safety, racial justice, fair wages, and more. Some wins have made a major media splash and reaped huge gains, while many others created subtle, yet significant, ripple effects. Some are big wins, while others represent important building blocks toward change. Yet they all illustrate the benefits of our members having won the legal right to bargain with employers as equal partners.

## Columbus Education Association (OH)

The 4,000-member Columbus Education Association (CEA) in Ohio built an impressive student-centered campaign called “Schools Columbus Students Deserve” before they headed to the bargaining table in 2019.

The campaign was built on a platform of six major components:

- reduced class sizes and caseloads;
- adequate staffing of Specialized Instructional Support Personnel (SISP);
- dedicated space for art, music, and P.E.;
- expanded alternative programs for discipline;
- reduced turnover by compensating educators as professionals and funding schools; and
- save taxpayers’ money by ending handouts for wealthy corporations that don’t need them.

After extensive negotiations, CEA signed an agreement providing for the first reductions in the class size cap for grades K–3 in 25 years; 60 additional CEA SISP positions, such as school nurses, social workers, and social emotional learning practitioners; new contract language requiring educator input before an art or music room is repurposed; a commitment for each building with any combination of grades 7 through 12 to provide space and staffing for a trauma-informed, in-school discipline program as an alternative to out-of-school suspension; and raises for all educators in each year of the contract.

CEA and Columbus City Schools continue to bargain around challenging issues. Since March 2020, CEA and the school district agreed to a series of memorandums of understanding (MOUs) to address changing circumstances.

Most recently, the parties negotiated an MOU for the 2021–22 school year, emphasizing COVID-19 protocols, the use of public health data, and a renewed focus on health and safety by the existing labor-management committee structure.

The MOU includes language regarding the use of federal American Rescue Plan funds, stating that the funding “provides the district with a unique opportunity to meet the many critical needs of students facing increased challenges as a result of the COVID-19 pandemic.” Notably, the MOU codifies the hiring of 33 school counselors, 88 literacy specialists, and other SISP. As part of this agreement, the school district will provide professional development for CEA members on racial disparity, equity, diversity, and inclusion.



## San Juan Teachers Association (CA)

Years ago, the San Juan Teachers Association (SJTA) and San Juan Unified School District bargained for language creating and promoting joint labor-management committees. These committees address a variety of issues, which proved invaluable during the pandemic.

The result? The union helped ensure the safety of returning staff and students, and elevated the voices of their school nurse members.

“It was really important that nurses were included on the district Health and Safety Committee,” said NEA member and school nurse Sarah Roycroft. “And that’s thanks to SJTA.”

Roycroft and her fellow nurses gave presentations at their school sites to help educators understand how CDC and state health department guidelines applied to their classrooms and schools. The nurses also spearheaded follow-up efforts when COVID cases were reported—and their union negotiated extra compensation for that work.

But even before the pandemic, SJTA and the school district used labor-management committees to solve complex problems. Notably, over 20 years ago, the union and district negotiated the parameters of comprehensive peer assistance (PA) and peer assistance and review (PAR) programs, which are still providing crucial supports to new and veteran teachers. The system is overseen by a union-management Governance Board. The guiding principles for the program are:

- ensure high quality teaching and learning for all students in the district;
- collaboration and partnership built upon trust and transparency between the district and the union; and
- support for veteran teachers by teacher leaders.

These strategies have helped retain teachers and improve their practice and serve as an exemplar of using the bargaining process to provide crucial professional supports to teachers.

## United Teachers Los Angeles (CA)

In Los Angeles, educators and parents joined together in 2019 to demand more resources for the nearly 600,000 kids in L.A.’s public schools. Some class sizes were out of control – with 45 or more students per class. There was inadequate funding for special education, and 40 percent of schools had a nurse only one day a week.

After months of negotiations, educators went on strike for six days to secure meaningful changes—and thousands of community members showed up to support them. More than 10,000 parents, students, and community members joined the picket lines. On another day, close to 2,000 students and parents put on red shirts to show solidarity with the Red for Ed movement—creating a chain that stretched nearly a mile.

In the end, the union reached an agreement securing a 6-percent pay raise and many student-focused supports, including:

- a nurse in every school five days a week;
- lower class sizes, including an immediate reduction of seven students in secondary math and English classes;
- counselor-student ratios of 1:500;
- a commitment to reduce testing by 50 percent;
- a teacher-librarian in every secondary school five days a week;
- investment in community schools;
- a resolution calling on the state to establish a charter school cap and create a Governor's committee on charter schools; and
- hard caps on special education caseloads.

For the 2021–2022 school year, the United Teachers Los Angeles and the Los Angeles Unified School District reached an accord guaranteeing full in-person learning and return to school. The agreement included provisions for COVID screening and virtual learning for students forced to quarantine.

## Prince George's County Educators' Association (MD)

When the Prince George's County Educators' Association (PGCEA) sat down at the bargaining table in 2019, it invited all 10,000 union members, plus local parents and students, to attend. "Open bargaining," as it's known, was a change for PGCEA, but President Theresa Dudley believed it made sense for her community.



Prince George's County educators, parents, and students display art they made for a massive school-funding demonstration.

The Maryland local, situated east of Washington, D.C., in a school district where more than 90 percent of students are Black and Hispanic, also made public its contract demands. They aimed for fair compensation—teachers here were earning an average of \$10,000 less than teachers in an adjacent district. The local also called for healthier learning environments, including smaller class sizes, less testing, and training for restorative practices—which is shown to lower suspension rates and disrupt the school-to-prison pipeline for students of color.

PGCEA held town-hall meetings in early 2019 and released its “Bargaining for the Common Good” (BCG) platform to the public. The community and educators organized a strong campaign using their collective voices. The BCG tactics included open bargaining, an art build, and a march of nearly 2,000 PGCEA members, parents, and students through the streets of the state capital. The community effort led to passing a budget bill that included an additional \$53 million in state education funds for Prince George’s County.

All of this led to a powerful negotiated agreement providing nearly \$124 million in pay raises, including \$39 million toward restoring raises the county skipped during the recession. Some members received a 22.5 percent pay raise over three years.

The union won additional improvements, including: an additional five days for special education teachers to complete IEPs (individual education programs) and other paperwork; a new task force to establish appropriate teacher-to-student ratios, plus reasonable caseloads for counselors, psychologists, and social workers; an evaluation system focused on professional growth; and the expansion of restorative practices to schools with interested faculty.

## CONCLUSION

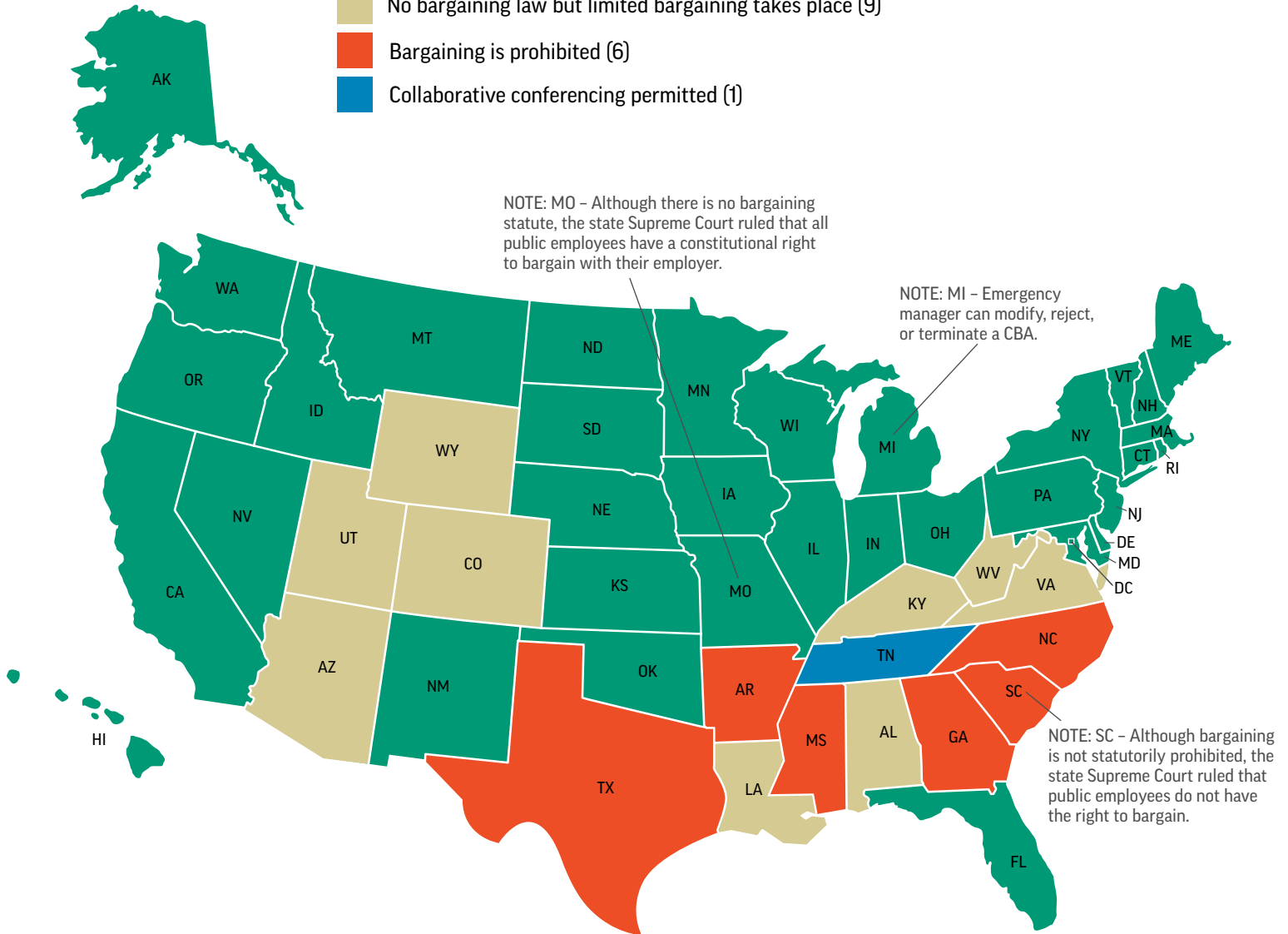
As these examples show, educator unions across the country not only lift up the economic lives of members but also have a direct, positive impact on public schools, the students they serve, and the community at large. Collective bargaining is good public policy for employees, employers, and communities, and all educators—no matter what state they live in—should have this right.



# APPENDIX

## STATUS OF K-12 PUBLIC SCHOOL TEACHER BARGAINING

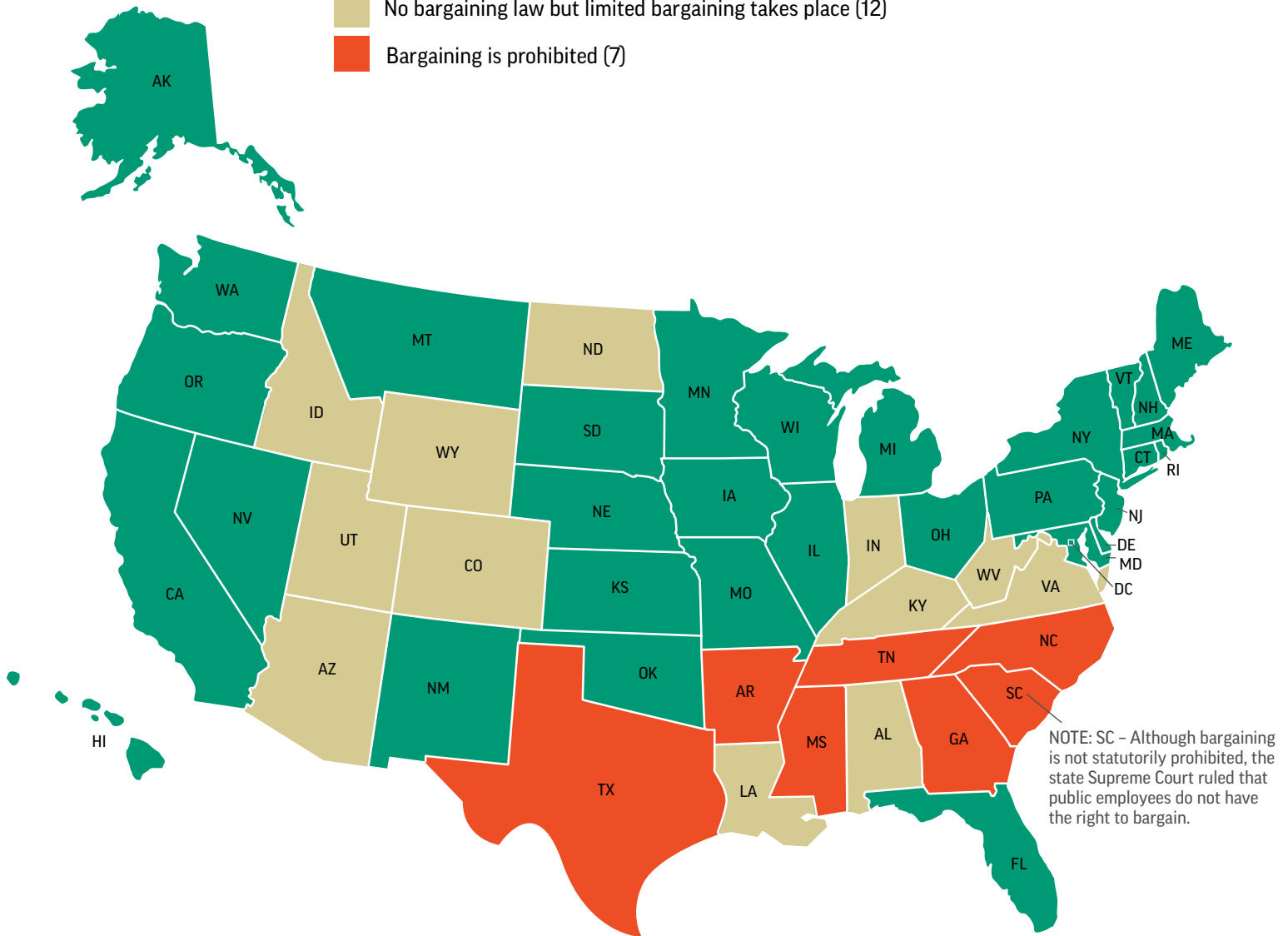
- Bargaining laws covering K-12 teachers (34 + DC)
- No bargaining law but limited bargaining takes place (9)
- Bargaining is prohibited (6)
- Collaborative conferencing permitted (1)



NEA COLLECTIVE BARGAINING AND MEMBER ADVOCACY (MAP CURRENT AS OF JULY 2021)

## STATUS OF ESP BARGAINING LAWS FOR K-12 AND HIGHER EDUCATION ESP

- Bargaining laws covering K-12 and Higher Education ESP (31 + DC)
- No bargaining law but limited bargaining takes place (12)
- Bargaining is prohibited (7)

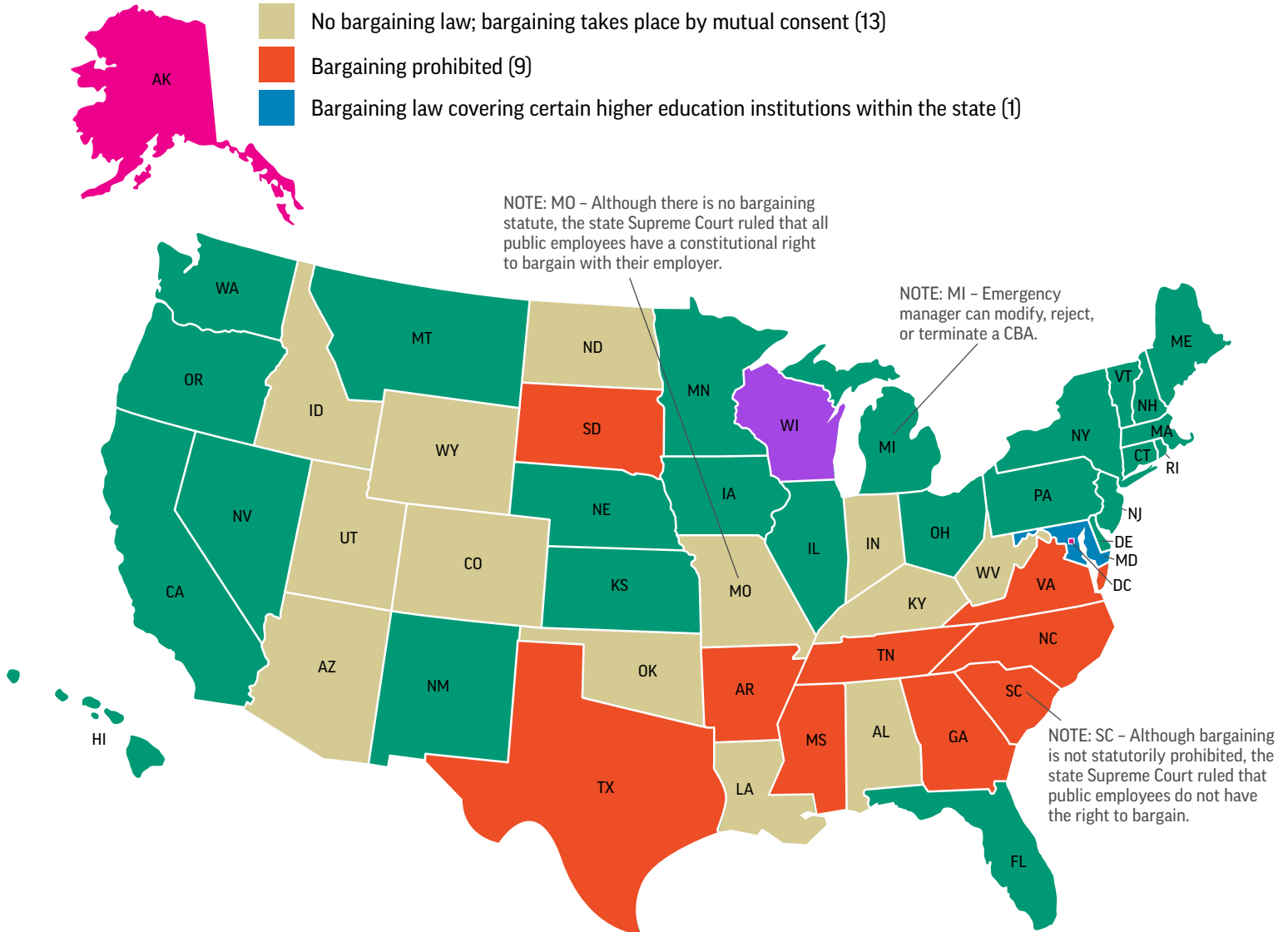


NOTE: SC – Although bargaining is not statutorily prohibited, the state Supreme Court ruled that public employees do not have the right to bargain.

NEA COLLECTIVE BARGAINING AND MEMBER ADVOCACY (MAP CURRENT AS OF JULY 2021)

# STATUS OF COLLECTIVE BARGAINING FOR PUBLIC HIGHER EDUCATION FACULTY AT COMMUNITY COLLEGES AND FOUR-YEAR INSTITUTIONS

- Bargaining laws covering faculty at 4-year public education institutions and community colleges (25)
- Bargaining law covering community college faculty but not faculty at 4-year institutions (1)
- Bargaining law covering faculty at 4-year institutions but not community colleges (1 + DC)
- No bargaining law; bargaining takes place by mutual consent (13)
- Bargaining prohibited (9)
- Bargaining law covering certain higher education institutions within the state (1)

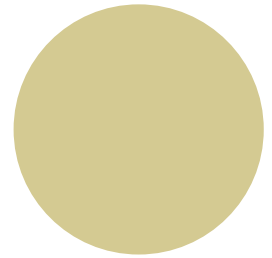


NEA COLLECTIVE BARGAINING AND MEMBER ADVOCACY (MAP CURRENT AS OF JULY 2021)

[illegible]

[illegible]

[illegible]



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