

OCG Working With Other Good Government Groups Stymies Teacher Union Legislation on Binding Arbitration and Perpetual Contracts



Representatives of R.I. good government groups gather at the State House to protest perpetual contracts and binding arbitration in teacher contracts. Left to right are Lisa Blais, concerned citizen; Jim Beale, RISC president; Bili Felkner, OSPRI president; Sandra Thompson, OCG 2nd vice president; Bill Murphy, East Providence Taxpayers Association; Colleen Conley, RI Tea Party President; and Larry Fitzmorris, Portsmouth Concerned Citizens president.

Nearly 100 Rhode Island citizens braved a heavy downpour and fierce winds to gather at the State House last Wednesday to protest binding arbitration for teacher contracts and perpetual teacher contracts.

Operation Clean Government along with the Rhode Island Statewide Coalition, the East Providence Taxpayers Association, the Rhode Island Tea Party and other concerned citizens united to fight legislation considered to be harmful to all Rhode Island cities and towns and interfering with their school board's ability to fairly negotiate contracts. The legislation is supported by the National Education Association RI (NEARI) and the RI American Federation of Teachers. Research was provided by the Ocean State Policy Research Institute.

The bills in question would require binding arbitration for all financial matters in teacher contracts when there is an impasse in negotiations with school committees and would also require contracts to remain in effect after their expiration date. Current state law mandates that only “*non-financial*” provisions be subject to binding arbitration.

This legislation arose in the fall of 2008 after the East Providence School Committee, in serious financial debt and unable to come to agreement with teachers through collective bargaining, mediation and arbitration were forced to unilaterally determine teacher salaries and benefit costs that the city could afford. The EP Teachers Association filed a grievance and took the school committee to court. This case still is not resolved.

The coalition of good government groups, facilitated by volunteer Lisa Blais, an expert in school contracts, organized in early summer after the RI Senate, with little debate, passed a bill that would allow teacher contracts to continue *indefinitely* after they expire, a costly proposition for municipalities. The purpose of the coalition was to halt legislation that not only would put a further burden on RI taxpayers who already pay the fourth highest property taxes in the nation, but that would also strip power from *elected* school committee members and give it to an outside arbitrator who has *no accountability* to voters. Legislators were deluged with emails and phone calls plus radio ads exposing binding arbitration by well-organized reform groups.

“This is a huge win for reform groups in Rhode Island,” said Sandra Thompson, OCG vice president for policy and oversight, who represented OCG on the coalition committee. “It proves that there is strength in unity and in numbers when going up against a special interest group as powerful as the teacher unions in our state.”

The coalition was joined by 36 city and town councils and 24 school committees from around the state who passed resolutions in their communities to oppose binding arbitration and perpetual contracts. This was after NEARI Executive Director Robert Walsh claimed to the *Journal* and public television’s *The Lively Experiment*, that he had the votes in the General Assembly to pass the legislation.

This will not be the end. As Dan Beardsley, executive director of the Rhode Island League of Cities and Towns, warned in a *Journal* article, “A bullet’s been dodged for the 2009 session, but I’m sure those issues and others are going to come back in the early days of the 2010 session. It’s inevitable.”

When pressed for an answer on the future of binding arbitration in the House, Majority Leader Gordon Fox, did some dodging with his answer, “We’ll keep working on stuff.”

Come January 2010, OCG and other good government groups in the coalition will be watching and ready to fight together for fiscal sanity for the taxpayers of Rhode Island.

Below are excerpts from two *Providence Journal* Articles on the binding arbitration legislation that “did not happen.”

Bills fly through the House at special session, October 29, 2009 by Steve Peoples, Cynthia Needham and Randal Edgar

“...But the biggest news in the State House Wednesday night might be what didn’t happen.

[Fox confirmed that a proposal to allow binding arbitration in contract disputes with teachers’ unions is dead, at least for now.](#)

“It’s not going to come up in October,” Fox said, minutes before the House session began, while praising recent efforts by the House Labor Committee to examine the issue. “I wouldn’t want to do anything like that. [It would be] a disservice by trying to bum-rush this through.”

The proposal has generated substantial tension in recent weeks, pitting taxpayer groups against organized labor on radio and television airwaves and in State House hallways.

As lawmakers filled the House chamber, close to 100 people representing local communities and taxpayer groups gathered in the rotunda one floor below to protest the binding-arbitration proposal, although it hadn’t been posted on any agenda.

City and town councils in 36 of 39 municipalities had indicated opposition, joining two dozen school committees, according to Daniel Beardsley, executive director of the Rhode Island League of Cities and Towns...”

“R.I. lawmakers plow through heavy agenda to the end,” October 30, 2009, by Steve Peoples, Cynthia Needham and Philip Marcelo

“...Trillo applauded, however, Democratic leaders' decision to reject, at least for now, a proposal to allow binding arbitration for teachers unions. The practice, while allowed in police and fire unions, prompted a rain of criticism from taxpayer groups and municipal officials.

‘A bullet's been dodged for the 2009 session, but I'm sure those issues and others are going to come back in early days of the 2010 session. It's inevitable,’ said Daniel Beardsley, executive director of the Rhode Island League of Cities and Towns. ‘The battle may have been won, but it remains to be seen who wins the war.’...”