



Why Unions Must Keep Up the Fight

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WHEN I WAS A TEACHER at Clara Barton High School in Brooklyn, New York, my principal suggested I use my skills as a lawyer to teach a street law class. One year, I decided to take a chance and set up a mock housing court. I was so excited that the kids were really prepared, had learned how to interview witnesses, how to elicit facts, how to argue the law—in other words, how to engage in project-based instruction with a real-life approach—that I invited the assistant principal to come watch. My kids were so engaged that in some ways it was like New York City Housing Court. Next thing I knew, my assistant principal was telling me the lesson wasn't good because it was rowdy and I could have lost control of my class. I fought back, and because I had legal experience I had the benefit of the doubt. Many teachers don't. That's why due process is so important.

As Rick Kahlenberg clearly explains in this issue's cover story, due process, also known as tenure, gives teachers the ability to fight for necessary services for their kids. It's an effective tool to recruit and retain teachers. And while it should never become a cloak for incompetence—if someone can't teach after being prepared and supported, he or she shouldn't be in our profession—it's what teachers need to do their jobs well.

The fight we're in to protect teachers' due process rights—in California, New York, and, if the rumors are true, states like Minnesota and New Mexico—is about a fundamental freedom that strikes at the heart of what it means to be a teacher, to create, to innovate, to find new ways to light the spark in the minds of our kids that could become the fire that sets them on a path to a brighter future. We all remember that moment, or that teacher. Due process protects those moments and those teachers.

However, this attack on the teaching profession isn't about what's best for kids. It's part of a larger effort to dismantle

public education, teacher voice, and the labor movement—a coordinated campaign led by wealthy and anti-union interests like the Koch brothers, Americans for Prosperity, and the hedge funders. It's ultimately about our economy, our democracy, and who holds the power.

Our adversaries don't want a virtuous cycle that gives everyone a shot at the American dream, with access to a high-quality public education, jobs with fair wages, and a secure retirement—all of

Court may decide to consider related issues in *Friedrichs v. California Teachers Association*. The plaintiffs in *Friedrichs* aim to break unions by eliminating the fee paid by those who have union benefits but don't join. Agency fee reflects the cost to the union of representing all workers in a bargaining unit. It's also known as fair share, because it's only fair if everyone who benefits from the services a union provides also chips in to cover the cost of those benefits.

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which help each generation climb the ladder of opportunity and help our communities thrive. They don't want to change the status quo of the greatest income inequality since the Great Depression. So they seek to defund and deprofessionalize public education.

This relentless assault continues in our nation's statehouses—with governors like Scott Walker, Bruce Rauner, and even Andrew Cuomo—stacking the deck against students, families, and educators. This relentless assault continues in the courts with cases that would “defund unions, destroy solidarity, and erase the benefits of union membership—even while bizarrely admitting that union membership does, in fact, bring workers ... strong benefits,” as Moshe Marvit wrote in *In These Times*.

Take a recent court case filed in California. In *Bain v. California Teachers Association*, the argument isn't about whether unions provide much-needed benefits. Instead, the plaintiffs are claiming that as nonmembers of a union, they should still get the full benefits of belonging to a union, for free.

On a national level, the U.S. Supreme

These court cases are part of a growing effort to silence working people and stifle their economic aspirations. With inequality in America reaching historic heights and economic polarization at its most extreme, people are increasingly turning to the labor movement for fairness, opportunity, justice, and real change.

Union members have higher wages, access to healthcare, a secure retirement, and due process. This has a multiplier effect, invigorating communities and growing the middle class. Our opponents understand this. They are stepping up the assault in our nation's legislatures and in our courts because they know that unions and a strong public sector help create shared prosperity.

Which is why we must keep up the fight. Because as these attacks have made clear, power never yields willingly.

We've weathered these storms before, and we've come out stronger for it—by standing together. This may not be a fight we sought, but it's also not a fight we intend to lose. The future of the middle class, the promise of high-quality public education, and the strength of our democracy all depend on us.