

# IOWA TRANSPARENCY NEWSLETTER



## Transparency in Union Negotiations

by Jennifer L. Crull

On November 4 voters in Colorado will have the opportunity to vote on Prop 104. The proposition would require that all negotiations that school boards engage in fall under the open-meeting laws of the state. Basically it would finally allow for transparency concerning the largest budget item a school board has to deal with.

Transparency is an issue that we want to publicize when it comes to finance. We want all levels of government to publish all expenditures and revenue that flows through their coffers. We are not as quick to apply this level of transparency to all other aspects of government. One area where this is greatly lacking is concerning union negotiations that go on every year in this state.

Salaries take up a significant portion of the budgets of all levels of government. Prop 104 basically states that “meetings of members of a board of education or school district administration with a union negotiator at which a collective bargaining agreement is discussed must be open to the public.”<sup>1</sup> You may wonder why we are reporting on a proposition from Colorado, but the truth is the way Iowa law is written it promotes secret meetings for union negotiations, and that needs to stop. The Sunshine on Government Website lists the following reasons why we need open-meeting laws for school negotiations, and this applies to all levels of government:

- Transparency helps to ensure good government.
- Open meetings allow all citizens to keep an eye on their government.
- Parents can see how policies that affect their children’s education are decided.
- Teachers can observe how

both sides represent their interests regarding pay and working conditions.

- Taxpayers can watch how around 85 percent of their school district’s budget is decided.
- In the event of a teacher strike, we are not left trying to guess the reasons. Instead of dueling news releases and rhetoric from the union and the district, citizens can have firsthand knowledge of why teachers are striking.
- Eighty percent of Colorado’s

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public school students attend districts that hold these negotiations, and nearly all of these districts do it behind closed doors.

- Colorado would join 11 other states with similar laws that require open meetings.<sup>2</sup>

The IOWA TRANSPARENCY NEWSLETTER from May of 2013 reported on how "Secret government union collective bargaining is the law in 11 states, specifically: Alaska, Connecticut, Illinois, Iowa, Kentucky, Maine, Nevada, New Hampshire, New Jersey, New Mexico, and Wisconsin."<sup>3</sup> That is why we are spotlighting this proposition on making school negotiations open to the public. Iowa needs to take the steps to open up our union negotiations to protect both sides. This would allow the employees represented by the unions to know where both sides stand and how their interests are truly being represented. It would rid us of the smoke and mirrors that are currently going on behind those closed doors.

Every year Public Interest Institute reports on the Iowa Pay Gap. In 2011 the pay gap was 50.2 percent, and in 2012 that number had increased to 51.0 percent.<sup>4</sup> This shows that on average government-union employees are receiving wage increases that the private-sector employees are not. In a report from the Goldwater Institute from January 2013:

In short, we discovered that the presence of government unions and the strength of collective-bargaining laws explain a large portion of the pay gap between state and local government employees and private-sector employees. States across the nation could save \$50 billion...every year in excessive pay to public employees simply by banning government-union collective bargaining.<sup>5</sup>

Since ending collective bargaining isn't going to happen anytime soon, then the next best answer is to apply all our Sunshine Laws to union negotiations. The above report also reported that:

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Ironically, during the 1970s, government unions and employees often sought to require collective bargaining to be transparent and subject to open-meetings laws. This was a time when government unions were relatively new and not firmly ensconced in the state and local political establishment. In response to these efforts by unions and their members to demand transparent collective bargaining, courts commonly ruled that such transparency would unfairly favor the union side in negotiations and disrupt the tactics that could be successfully deployed by government employers in negotiations to reach resolutions of labor disputes.<sup>6</sup>

Of course if all union negotiations are open to the public it would greatly influence tactics by both sides. While we would expect normal behavior on the union representative side it would force the representative from the government side to work for what is best for the taxpayers, for they would immediately be responsible for the proposals that are agreed upon with the union representatives.

The conclusion of the Goldwater report really sums up why we need transparency in all levels of collective bargaining:

It is no wonder that

government unions and their political allies oppose efforts to bring transparency to collective bargaining — even going so far as to call ALEC’s model transparency legislation an effort at union busting. Today, they have everything to gain and nothing to lose from secret negotiations. But this opposition is ironic because, historically, when government unions were just getting their sea legs and were fighting a political class that opposed their very existence, it was often unions that sought to apply open-meetings laws to the collective-bargaining process. Now that government unions are firmly entrenched in the political establishment, they want the secrecy in government they once fought. Of course, apart from highlighting such hypocrisy, this switch in position underscores that transparency in collective bargaining would likely curtail union clout that contributes to the pay gap between government employees and private-sector workers.<sup>7</sup>

So remember to discuss with your elected officials, in all levels of government, how they feel concerning transparency in the collective-bargaining process. We need to change the tide in Iowa and open up the negotiations for all the taxpayers to see what is going on and how

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the negotiations will affect our taxes.

(Endnotes)

<sup>1</sup> “Vote YES for Open Meetings for School Boards,” Sunshine on Government, <[http://sunshinek12.org/wp-content/uploads/Prop\\_104\\_Fact\\_Sheet1.pdf](http://sunshinek12.org/wp-content/uploads/Prop_104_Fact_Sheet1.pdf)> accessed on October 14, 2014.

<sup>2</sup> Ibid.

<sup>3</sup> Nick Dranias, Byron Schломach, and Stephen Slivinski, “Airing Out the Smoke-filled Rooms: Bringing Transparency to Public Union Collective Bargaining,” No. 255, Executive Summary, January 17, 2013, p.1, <[http://goldwaterinstitute.org/sites/default/files/PR255%20Collective%20Bargaining\\_0.pdf](http://goldwaterinstitute.org/sites/default/files/PR255%20Collective%20Bargaining_0.pdf)> accessed on April 15, 2013.

<sup>4</sup> Amy, K. Frantz, “Iowa’s Privileged Class: State Government Employees,” POLICY STUDY, Number 14-8, April

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2014, <<http://www.limitedgovernment.org/ps-14-2-p4.html>> accessed on October 14, 2014.

<sup>5</sup> Dranias, Schlomach, and Slivinski, p. 5.

<sup>6</sup> Ibid., p. 12.

<sup>7</sup> Ibid., p.13.

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