Chronological: Speeches, Statements, Messages, 1968: Memorandum draft of HEA speech

United States Senate

MEMORANDUM

Senator:

This is a draft of the HEA speech, April 9, 1968.

Could you look it over to see if I am on the right track -- before you leave. I'm not trhogh with it.

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draft

For years no one considered that teachers might ~~sometime~~ Sunday go on strike. Not only is it expressly forbidden in the contracts teachers sign, but the teachers themselves have considered striking outside the activities permitted by the ethics of their profession.

Now all of it seems to be changing. In the decade from 1956 to 1966, the teacher's strike tally was only 36. But since last September it is close to 100, and according to the National Education Association, before the end of this year there may be 300. There has been a state-wide strike in Florida. Area strikes occurred in San Francisco, Albuquerque and Philadelphia, and marches took place on the capitals of Pennsylvania, Oklahoma, Louisiana, Idaho, Delaware, and Colorado. District of Columbia teachers even marched on the Nation's Capitol.

The long established assumption that teachers perform a function vital to the health and safety of the people (has been?) abandoned. We enter an era which calls for a new assessment of roles, not only by the teacher with respect to his profession and his employer, but also by the employer with respect to the teaching profession.

~~The problem becomes~~ What shall be our guidelines for the future? First, I do not think that merely because something happens, it must continue to happen. Because teachers, policemen, firemen and other municipal and civil service employees choose to follow the practice of

trade unions does not make it right. There is a fundamental difference in the nature of the employer. In private industry, the commodity manufactured is sold in the market place and for profit, and the strike decides how the profit shall be divided. In public service the commodity is not for sale, there is no profit to be divided and theoretically at least the service performed is so valuable that no dollar value can be attached. Private services can be suspended, and while, as in a shipping strike, this suspension can cause great havoc, still the community's essential functions carry on. Public service when it is suspended endangers the health and security of all. Strikes against a governing unit is usually forbidden on grounds that the sovereign good supercedes the individual wish. Obviously, certain services can be suspended for a longer time than others. Here I think as a practical matter we must distinguish between such groups as teachers on the one hand and police and firemen on the other. In the short run, the community can endure a teachers strike better than the other, but in the long run a strike by teachers is against the public good in an entirely different sense than a strike against a private industry. The governing unit has a right to insist on a no-strike clause.

But there also is a second consideration. If the services are that vital, surely the governing unit has an obligation to pay wages commensurate with the importance of the services performed. A contract is a two-way proposition. Usually, the terms of a contract are carefully spelled out.

Neither party is held beyond the agreed to terms. But this is not so with teachers. He is simply hired to teach, but it is hoped that that person will not only appear in a classroom for certain hours of the year, but will motivate learning, set an example, provide for the child's psychic needs, guide his ambitions, and make him a good citizen of the Republic. Moreover, the employer expects to buy all the attitudes and self motivations includable under the term "professionalism". Thus he is expected to want to further his training usually at his own expense and on his own time.

Now if the public employer expects all these things, yet pays on a par with the worker in prviate industry, a worker who has not invested in an education and whose responsibilities are circumscribed, it seems to me the employer is "shylocking" on the contract.

In the past the professionalism of teachers mas made them easy victims of unfair wage scales. Rather than fight for wages, teachers have accepted security and in so doing paid a price in professionalism. Where Income has not been enough to supply the needs of the family bread winner of the family and so the profession has increasingly become one for women. Standards lagged. Now this has changed. With the increasing costs of education, with the growing community pressure on the teacher to train students for college entry, and with new methods for measuring teacher effectiveness, the pressure on the teacher becomes far greater than were known a decade ago. The American school

systems are being forced to grow in size and quality, simultaneously. The strain is bound to result in a variety of grievances and a mood of rebellion. Either the teacher will seek out private employment which pays better, or if his interest in teaching is great but he cannot make a living, he may be willing to strike.

Within this climate, states and municipalities which continue to expect greater production from their schools without a comparable increase in wages and perquisites are sadly miscalculating. They can't have the best of both ends of the contract.

But neither can the teacher. A third consideration is this: the teacher cannot easily protest his professionalism and great humanitarianism and at the same time resort to tactics used by trade unions. Fair or unfair, the public expects the teacher to have the inspired motivations of a priest and missionary. When a community rightly or wrongly feels the rules have been violated, it can be as vindictive as any boss, and it is much bigger. The disillusionments that would come from a head-on clash between the public and its teaching profession are a tragedy for all, but the child most of all. The teacher, therefore, before laying aside his robes to enter the strike must be sure his cause is just.

Many proposals have been mentioned for handling negotiations and differences when they arise. Some have recommended that teachers and public employees negotiations be governed by the same regulations as those for employees in private enterprise. Michigan has such a system. Others have proposed an entirely seprate administrative

apparatus for public employees including teachers, such as found in New York. Others have advocated entirely separate bargaining and negotiating procedures for teachers alone on grounds that their functions are different. These are questions which I think youmight consider in such time of relative tranquility as your profession is now enjoying in Hawaii.

Organizations like the HEA must play an increasingly important part in the years ahead. There must be changes; no segment of the State can absorb so much of the tax dollar as education in Hawaii and escape the constant prod to show results to justify costs. An effective professional organization can help you have an effective voice in shaping changes to be made. The State for its part has shown its great faith and hope for you. You have an opportunity to endear yourself to the community to a degree never before possible. Use the trust well. I know you will not fail.

DRAFT

For years no one considered that teachers might someday go on strike. Not only was it expressly forbidden in the contracts teachers signed, but the teachers themselves have felt the ethics of their profession would not permit it.

Now all of this seems to be changing. In the decade from 1956 to 1966, the teacher's strike tally was only 36. But since last September it was close to 100, and according to the National Education Association, before the end of this year there may be as many as 300 teacher's strikes. A State-wide strike took place in Florida. Area strikes have occurred in San Francisco, Albuquerque and Philadelphia. Teachers marched on the capitals of Pennsylvania, Oklahoma, Louisiana, Idaho, Delaware, and Colorado, and District of Columbia teachers even marched on the Nation's Capitol.

We enter an era which calls for a new assessment of roled, both by the teaching profession and the community.

With 1/6 of our national labor force in some form of public service, and with police, firemen, and garbage workers, already having gone on strike in other areas, the answers which teachers organizations such as your work out, may have relevance to other segments of public service besides your own.

First, I think we must recognize that although the public increasingly sees itself as a innocent third party in any labor dispute, the right to strike has long been cherished by labor as its ultimate sanction--the only real source of power it has which can give it reasonable equality at the bargaining table. In a general way, the public has come to acknowledge the workers right to strike. Undoubltedly labor's achievements in wages, working conditions and legislation result from the availability and effectiveness of this tool. It is, therefore, only natural that employees in the public service should also look to the strike as an ultimate weapon for gaining redress against their employer, even thought that employer happens to be the public itself as represented by some governing unit.

But here the comparison breaks down. Private industry manufactures a commodity which is sold on the market place for a profit; Though collective bargaining or ultimately the strike, labor helps decide how the profit shall be divided. But there is no marketing of the services of the public servant, no profit to be divided. Theoretically at least, the service performed is so valuable that no dollar value can be attached. Private services can be suspended, and while as in the shipping strike this can cause great havoc, still the community's essential functions carry on. But a suspension of public services endangers the health and security of all. On these grounds strikes have been prohibited for teachers and other public employees. It is true I realize there is a great deal of

difference in the immediate harm that results from a strike by teachers versus one by police or firemen, but in the long run a strike in any of them is a strike against the public good in the broadest sense. A strike by public employees has an entirely different significance than has a strike by a trade union. It would appear, therefore, that any strike by public employees should by banned.

But there is also a second consideration. If public services are that vital, surely the governing unit has an obligation to pay wages commensurate with the importance of the service. It is true a contract is signed. But a contract even with a governing unit is a two-way proposition. Most contract carefully spell out the terms and neither party is held beyond the stated agreement. But this is not so with a teacher. While he is simply hired to teach, it is hoped that he will do more than appear in a classroom for certain hours of the year. He is also expected to motivate learning, to set an example, to provide for the child's psychic needs, to guide his ambitions, and to make him a good citizen of the Republic. Furthermore, he is expected to want to continue his training beyond that already required to achieve accreditation, usually at his own expense and on his own time. All these attitudes and self motivations the employer expects to receive as its share of the contract.

In the past, this type of contractural understanding appears to have been fairly satisfactory. Teachers complained that they were not paid well enough, but they seemed content to settle for job security. If their professionalism suffered, it was not enough to give the public concern. Breadwinners who could not support their families left the profession. There was always some one to take his place.

Now all of this has changed. After Sputnick came a dramatic increase in both money and interest.

Comptetition to fill available speaces in colleges across the country has intensified. Standardized college entrance board examinations now measure the amount of educational achievement and determine who shall go to college. This has led to community pressure on the teacher to equip students to pass these college boards. There also is the tending to evaluate the teaching by the scores. There have come new methods for measuring teacher effectiveness and new demands for further training. The implication is enescapable; the teacher who cannot produce must be moved aside. Improved wages create new competition for the post. Thus the pressures on teachers today are much different and much greater than a decade ago. The community which expects teachers from a sense of professionalism to meet all the terms in the unwritten contract without commensurate pay

increases is guilty not only of "shylocking:, but also of self-deception.[4] Nevertheless, no public employee, least of all the teacher can afforded a head on clash. Fair or unfair, the public expects the teacher to have the inspired motivations of a clergyman. He cannot easily lay aside his robes, even for a worthy cause. ~~Rx~~ Rightly or wrongly a community which feels its rules have been violated can be as vindictive as any boss, and it is much bigger. The disillusionments which proceed and follow such a clash would be a tragedy, for the child most of all.[4] It is to forstall such painful altermatives that effective grievance procedures be worked out well in advance of possible difficulties.

Many proposals have been mentioned for handling negotiations and differences before and after they arise. Some have recommended that teachers and public employees negotiations be governed by the same regulations as those for employees in private enterprise. Michigan has such a system. Others have proposed an entirely separate administrative apparatus for public employees including teachers, such as found in New York. / Still others have advocated entirely separate bargaining and negotiating procedures for teachers, on grounds that their functions are different from ~~xx~~ other segments of public service. These are questions which I think you might consider.

HEA can play a major roll in working out procedures which would be equitable, and fair to the needs of both the profession and the community.

Yet I see your association's roll in a much more significant function than that of a bargaining agent or lobbyist, for a teacher union. No segment of the State can absorb so much of the tax dollar as does education in Hawaii and hope to escape the constant prod to justify expenditures through results. The dramatic changes education in Hawaii has undergone in the past 10 years, will be small in comparison with those which lie ahead. A progressive professional organization can do much to give you an effective voice in shaping the changes which must be made. In fact, without your help the adjustments can not be accomplished. The State for its part, has shown its great confidence in you and its profound hope that your professionalism will guide you both in the building a better educational system for the future. I know you will use this trust well.