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February 27, 2011

Unions Debate What to Give to Save Bargaining

By MICHAEL COOPER and STEVEN GREENHOUSE

As Wisconsin's governor and public employees square off in the biggest public sector labor showdown since [Ronald Reagan fired striking air traffic controllers](#) in 1981, government employees' unions in a range of states are weighing whether to give ground on wages, benefits and work rules to preserve basic bargaining rights.

It is not yet clear whether Gov. [Scott Walker](#) of Wisconsin will succeed in his quest to strip public employee unions of most of their bargaining rights. But by simply pressing the issue, he has already won major concessions that would have been unthinkable just a month ago.

Some of Wisconsin's major public sector unions, faced with what they see as a threat to their existence, have decided to accept concessions that they had been vigorously fighting: they said they would agree to have more money deducted from workers' paychecks to go toward their pensions and health benefits, translating into a pay cut of around 7 percent.

But Mr. Walker is not settling for that. He said that those concessions were "an interesting development, because a week ago they said that's not acceptable."

In Tennessee, where teachers are fighting a bill that would repeal the 1978 law that gave them the right

to bargain collectively, they have already signaled that they would be willing to make some concessions on tenure, said Jerry Winters, the manager of government relations for the [Tennessee Education Association](#), which represents 52,000 teachers. And he said negotiations could be tough in the current atmosphere.

“When you’re fighting to keep the very right to have collective bargaining, it’s going to have some impact on what you do in your bargaining,” he said.

The sudden spate of bills seeking to eliminate or weaken collective bargaining — and the fierce protests by unions trying to preserve those rights — are largely a product of November’s elections. Those elections brought a new class of conservative Republican governors to power, including Mr. Walker and Gov. [John Kasich](#) of Ohio, who is also taking aim at collective bargaining. Republicans won control of both houses of 25 state legislatures, up from 14.

Now some of those newly powerful Republicans have decided to check the power of public sector unions, saying they have long used their political influence to win wages and benefits that the lawmakers believe are not affordable. Democrats, however, see the anti-union bills as an effort to weaken organized labor, which has long been one of their major sources of support.

Several Republicans seeking to overhaul labor laws said that they felt strong constituent support for taking on public sector unions. These unions have lost considerable popular support in recent years from private sector workers, many of whom no longer enjoy the job protection, health benefits and, especially, pension plans that many state and local workers still have.

Mr. Walker, who has called public sector workers “haves” and private sector workers “have-nots,” said in an interview last week that he was looking for a long-term solution to Wisconsin’s budget problems. “We’re asking for a reasonable amount from state and local workers,” he said, “and most people in the private sector will say what we’re asking for is pretty modest.”

[Robert B. Reich](#), who was secretary of labor in the Clinton administration, said he saw the effort to

curtail bargaining rights as a politically motivated act by Republican governors. “Wisconsin state workers have already signaled their willingness to give the governor what he wants in concessions — they just don’t want to give up the right to bargain,” said Mr. Reich, one of the more liberal voices in the Clinton White House. “We’re likely to see the same pattern across the country. This is exactly the pattern we’ve seen over the last 20 years in the private sector.”

But some labor leaders said the governors were overreaching, and could create a measure of public sympathy for government employees’ unions by shifting the conversation from whether they earn overly generous benefits to whether they should have the right to negotiate at all. “I think it’s been a galvanizing force, a seminal moment for American labor,” said [Gerald McEntee](#), president of the [American Federation of State, County and Municipal Employees](#).

[Art Pulaski](#), the chief officer of the California State Labor Federation, said the Wisconsin standoff could encourage some Republican governors to take a harsher stance in bargaining. “But for those with a more moderate stance, those not tied to the Republican strategy, I think they’re going to hold back, and say: ‘Wait a minute. The response is so vigorous and spontaneous and strong, we have to be careful how far we go on this,’ ” he said.

But focusing national attention on public employees’ benefits could put unions on the defensive in many states. [Thomas A. Kochan](#), a professor of industrial relations at the Sloan School of Management at the [Massachusetts Institute of Technology](#), said he thought unions were increasingly recognizing reality. “There has to be a new bargain in the public sector on pension costs and health care costs, and to get out front on it,” he said. “That helps them take that issue off the table and to focus on the issue of worker rights and the attack on unions.”

Anti-union groups, seeing this as their moment, are urging governors not to settle for economic concessions. Tim Phillips, head of [Americans for Prosperity](#) — a conservative, free-market advocacy group that was created and financed in part by the billionaire brothers Charles G. and [David H. Koch](#) — said Mr. Walker should push for a “complete victory.”

“If you just did the cuts to pension and benefits without the changes to collective bargaining,” Mr. Phillips said, “it helps in the short term, but over the long term, benefits will creep back up again.”

Several union members protesting at Wisconsin’s Capitol last week said they did not think the unions were losing by offering concessions to preserve their right to bargain. “I don’t feel that you lose when you give something to gain something,” said Rachelle LaFave, 36, a mail carrier from Madison. “That’s how democracy is supposed to work.”

Bryan Kennedy, president of the **Wisconsin branch of the American Federation of Teachers**, said preserving bargaining was crucial. “Most of our contracts are about the working conditions, about grievances and hours and vacation and sick leave and when our breaks are and what our schedules look like,” he said.

Gov. **Chris Christie** of New Jersey, a Republican who has been assertively trying to scale back public employees’ benefits, pointed out that many unions had gotten state legislatures and governors to award their members benefits that the local cities and counties they were negotiating with did not want to give.

“The thing that kind of makes me laugh about this whole conversation is you have union leaders now talking about the sanctity of collective bargaining,” said Mr. Christie, who said he had no plans to take away bargaining rights in New Jersey. “But the collective bargaining situation is not that way when they don’t get what they want. When they don’t get what they want, they go to the legislature. And then they legislate those benefits that they couldn’t get at the collective bargaining table.”

Mayors, whose bargaining powers are often set by state law, have been watching the battle closely. Several cities — including Newark and Camden, N.J. — were forced to lay off police officers when their unions failed to agree to concessions. In Toledo, Ohio, Mayor Michael P. Bell is watching with added interest.

As a young firefighter, Mayor Bell was laid off for a year before he was rehired. He eventually rose to

chief. When he took office last year as an independent, he faced a \$48 million deficit. He closed part of it by winning union concessions, after threatening to impose them by invoking a little-used law that lets mayors do so in “exigent circumstances.” Now, he said, he supports bargaining rights but wants to find a way to give the city power to alter contracts in hard times.

“In local governments and even in our school system, there’s no ability to hit a reset button — the only option that a lot of cities have is to lay off a large amount of people,” Mr. Bell said. “Nobody’s going to come to your city if you don’t have police officers or firefighters, or you’re not picking up your trash.”

Kate Zernike and Sabrina Tavernise contributed reporting.



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