

Testimony Before PA House of Representatives Education Committee
RE: HB 1369

Neshaminy HS, Thursday, August 25th 2011

My name is Kevin Gallagher and I reside in Middletown Twp, PA. I would first like to thank you for holding this hearing and I deeply appreciate the opportunity to be heard.

As you know, the contractual dispute here in NSD is now into its fourth year. What I have to say has nothing at all to do directly with the contract stalemate. My comments are not intended to be critical of unions in general or in particular. This is not meant to be an indictment of any kind against collective bargaining. As far as I am concerned both sides of labor issues can continue to debate the subject and try to find some kind of compromise. I am here for one and only one reason: to advocate for children. They didn't cause this labor issue. They are innocent in this conflict. And they certainly do not have the power to rectify the situation. Any job action by a union is designed to gain attention by putting pressure on weak points. What better place than applying that pressure on children?

The essence of my thoughts can be crystallized into two points. First, a union job action that targets the innocent has nothing to do directly with the contract impasse. Taking advantage of the defenseless just because you have the power to do so is the worst kind of weakness.

Secondly, isn't one of the duties of a legislative body in the United States to protect the innocent and defenseless?

A job action of this nature by teachers is immoral. By all means, let a union promote its position. Stand up for your beliefs. Continue to stress to the school board your concerns and commitment. Tell the parents and the public of your desires. But to involve children is just wrong. I know that right now a teacher strike is legal (and in my opinion a Work To Contract is essentially the same thing). But by any moral definition that I can find, it is just wrong. A teacher has made a commitment to children. It is implied when she picks up her paycheck. That moral obligation should supersede all things. I do not judge teachers from a distance. I have taught at both the high school and university level for a number of years.

A Work To Contract action is harmful to students in its own special way. This occurs when people who think of themselves as professionals decide to only perform duties that are specifically enumerated in their contract. For example, the NFT has directed their teachers to not take work home with them. Perhaps I should be ashamed that in my years as a teacher I never read my job description. I'm sure I had one but I never asked to see it. My confusion with this aspect of the NFT WTC is for me to try to understand how I could administer tests, assign homework and papers and not take them home to grade them. Under this scenario, the only way I could grade papers, etc would be to stay after school. But the NFT also issued the directive that teachers are not permitted arrive earlier than 15 minutes before their assigned time or stay more than 15 minutes after school is over. And how would I deal with the child

that is having difficulty with a concept or idea that is being taught? This kind of student needs one on one help and would mean getting to school early or staying late to help. But the NFT seems to be saying that this is beyond the scope of a teacher job description, that it is an 'extra'. Unless I'm missing something, the end result is that the education of children is impacted negatively. And the message that the NFT seems to be sending out is that a teacher can't do a thorough job unless he/she is compensated in a way that the NFT sees fit.

What is next? Could a school board unilaterally decide to reduce teacher pay or benefits until teachers agree to a contract? That would be just as wrong and immoral as union actions. The difference is that the school board is legally prohibited from such action.

Here in NSD, I have heard teachers say that they don't want to strike or Work To Contract. And I say to them, you don't want to? Then don't. If you do it IS your wish. No one is holding a gun to your head. But do not lay this at anyone's door but the union. Maybe the union thinks that if they repeatedly state their aversion to a strike that it will absolve them of from actually being held responsible for their actions. No rational person would accept that.

The School Board, the taxpayers and the parents are not responsible for union actions. And most certainly the children are not responsible for union actions. The union and the union alone is responsible for their actions. To suggest otherwise is the height of hypocrisy.

If you tell someone that you want something from them and threaten to take some kind of unpleasant, punitive action on an innocent third party unless your demands are granted is what I would call extortion.

Here are two thoughts with a common thread: NFT supporters who advocate for job actions say that this won't hurt children. And as a result of a call for involving kids in this dispute, NFT supporters seem surprised at the public's negative tone toward the teaching profession. I submit that the former don't understand the nature of their actions while the latter don't understand the consequences of theirs.

As a taxpayer and registered voter, what I want is for Harrisburg to step up and protect students from job actions by teachers unions. Here in Middletown Township, I personally feel that the NFT leadership has lost its way. Without a moral compass, they won't be inclined to listen to me. But this is America. They can advocate for anything they want. And I defend their right to promote their position. But here is what is unfortunate. When a guiding moral principle is absent or distorted, responsible behavior must be legislated. In plain English, can we please leave the kids out of it?

Thank you for your time,

Kevin Gallagher, Middletown Twp, PA